

Appeal Decision

Site visit made on 4 September 2024

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 October 2024

Appeal Ref: APP/J0405/W/24/3344418
18 North End Road, Quainton HP22 4BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr and Mrs Selby against the decision of Buckinghamshire Council.
 - The application Ref is 24/00706/PIP.
 - The development proposed is permission in principle for a minimum of one and a maximum of one detached dwelling.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs against the Council is the subject of a separate decision.

Preliminary Matters

3. I have used the site address as provided in the application form for clarity, and used the description of development from the decision notice as it was agreed between the two parties during the application process, whilst removing the term 'application for' as that is not a form of development.
4. The proposal is for permission in principle. The Planning Practice Guidance advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second 'technical details consent' stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
5. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹⁸. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.

Main Issue

6. The reason for refusal refers to the spatial characteristics and prevailing pattern of development in the surrounding area. I consider both to be within my remit in this appeal, given the scope to consider the location of development. As such, the main issue is:
 - Whether the site is suitable for residential development, having regard to its location, the proposed land use, and the amount of development.

Reasons

7. The appeal site includes part of the rear garden of a detached dwelling. It is accessed from North End Road (the road), which branches off the main thoroughfare at the edge of the village of Quainton. The road is largely surrounded by undeveloped land, provides no vehicular through-route, and reveals only partial views of itself from its entrance. As a result, the road has a self-contained feel.
8. The road includes a range of housing and plot sizes, and a mix of architectural styles. Even so, housing plots are generally grouped together with others of a similar size in a series of distinct clusters, rather than being interspersed. So it is that the more tightly bound rows of housing at Nos 1-41 and 58-64 form relatively homogenous groups, distinguished by way of contrast from the more spacious layouts in the cul-de-sacs at Nos 6-12 and 36-54. The character of the road is significantly related to the close proximity of these distinct clusters.
9. At the centre of the road on its eastern side is a group of detached homes, including two Listed Buildings, a recent development of three houses at Sloping Acre, and the appeal site. The houses in this group are architecturally eclectic, but are each amongst the largest in the road, mainly have generous gardens, and are accessed via two narrow private lanes that do not form traditional streets. The number of homes in this group is small, resulting in far fewer vehicular movements less than on the rest of the road, and a more secluded feel. These characteristics bind the group of houses together to form the final distinct cluster in the road.
10. The Vale of Aylesbury Local Plan 2021 (the Local Plan) supports, through Policies D3, BE2 and BE4, proposed development which is in keeping with the scale and spacing of *nearby* dwellings and the character of *the surroundings*; which respects and compliments the characteristics of the site *and its surroundings*; and generally reflects the densities of *its surroundings* (my emphasis in each case). Policy QP1 of the Quainton Neighbourhood Plan 2022 (the Neighbourhood Plan) supports development proposals that respect the character of the *immediate locality* (my emphasis again).
11. There is no dispute that appeal site is similar in size to others in the road and the wider local area, nor that it is in a part of the road where houses and plots are larger. Given the characteristics of the road as I have described them above, and that the support in Policy D3 is for development that infills small gaps in developed frontages, the extent to which the appeal proposal would relate to its nearest neighbouring properties carries significantly

greater weight in my determination than the extent of its relationship with other properties in the wider area.

12. The proposed dwelling would be located at the rearmost part of the garden of No 18. Whilst the garden is large the appeal site, less the existing access, is significantly smaller than any of the plots surrounding it. It would not be capable of accommodating both a house and garden comparable in size to those nearest it, therefore. Whilst the proposed dwelling would be set back from the main part of the road and screened from view by No18, it would be visible from both of the two private lanes and, as such, seen daily by occupants of neighbouring homes. In all, the development would appear congested and incongruous, eroding the spacious character created by the combination of neighbouring homes.
13. My attention has been drawn to a previous appeal¹ for a nearby site in which the range of local housing types was material in allowing three new houses at Sloping Acre. That decision did not suggest that the mix of housing was interspersed or not in homogenous clusters, as I have found. Moreover, it allowed three large houses with substantial gardens in the cluster I have identified as including the appeal site. As such, the approach I have taken is not contrary to that of the previous decision.
14. The proposal would not be in a suitable location for residential development having regard to the proposed land use and the amount of development, in that it would significantly harm the settlement pattern by not adhering to the scale, spacing, character, and density of its surroundings, contrary to the requirement to do so in Policies D3, BE2(a) and BE4 of the Local Plan and Policy QP1 of the Neighbourhood Plan, as well as conflicting with the similar aims of the National Planning Policy Framework (NPPF) which seeks to achieve well-designed and beautiful places through developments that are visually attractive and sympathetic to local character.

Other Matters

15. The site is near 24 and 20 North End Road, both of which are Grade II listed² detached houses, separated from the appeal site by a substantial dwelling at 22 North End Road and mature trees. Whilst neither party has identified harm to the setting of these heritage assets, I have had regard to the statutory duty referred to in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Given the proximity and physical relationship of the proposal to the designated assets as set out above, their settings would be preserved, and the proposal would not detract from them.

Other Considerations

16. Set against the harm identified, the proposal would deliver one new house within a settlement boundary in a moderately sustainable location and could be delivered quickly. This would support the Government's aim of significantly boosting the supply of homes and improve the current local shortfall in housing land supply. However, even if additional weight is applied to the provision of a quality, smaller two- or three-bedroom house as

¹ APP/J0405/W/18/3201148

² List Entry Numbers: 1117790 & 1117791

encouraged by Policy QP4 of the Neighbourhood Plan, and which the appeal proposal could entail, the addition of one dwelling would be modest, and comprise a limited benefit overall. There would be temporary and ongoing social and economic benefits from the development but given the modest scale of the scheme those benefits attract relatively minor weight.

Planning Balance

17. The Council cannot demonstrate a five year supply of deliverable housing sites. Footnote 8 of the NPPF states the policies which are most important for determining the application are deemed out-of-date, therefore, and permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
18. As described above the benefits associated with one additional dwelling would be relatively minor even taking account of the objective of boosting significantly the supply of housing in the NPPF and the Council's housing land supply position. The Framework states that good design is a key aspect of sustainable development, creating better places in which to live and work. It also gives significant weight to development which reflects local design policies.
19. In all, the unsuitability of the appeal site location for residential development having regard to the proposed land use and the amount of development, would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result the presumption in favour of sustainable development does not apply.

Conclusion

20. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal should be dismissed.

A Knight

INSPECTOR