



Appeal Decision

Site visit made on 7 January 2025

by **A Tucker BA (Hons) IHBC**

an Inspector appointed by the Secretary of State

Decision date: 14th January 2025

Appeal Ref: APP/X0415/W/24/3340217

River View (formerly Wrango Cottage), Village Road, Denham, Buckinghamshire UB9 5BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Smith against the decision of Buckinghamshire Council.
 - The application Ref is PL/23/3402/FA.
 - The development proposed is demolition of existing bungalow and erection of new 3-bed single storey dwelling.
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Decision

1. The appeal is allowed, and planning permission is granted for demolition of existing bungalow and erection of new 3-bed single storey dwelling at River View (formerly Wrango Cottage), Village Road, Denham, Buckinghamshire UB9 5BE in accordance with the terms of the application, Ref PL/23/3402/FA, and subject to the conditions in the attached schedule.

Preliminary Matters

2. On 12 December 2024, during the appeal process, the Government published its revised National Planning Policy Framework (Framework). The content of the Framework relative to the main issues of the appeal is largely unchanged. It has not therefore been necessary for me to give the main parties opportunity to comment on the revisions.

Main Issue

3. The effect of the proposal upon the significance of the grade II listed buildings known as Wrango Cottage Garden Wall¹, Wrango², and The White Cottage³; and whether it would preserve or enhance the character or appearance of the Denham Village Conservation Area (DVCA).

Reasons

4. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) require the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Additionally, Section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

¹ List Entry Number: 1124468

² List Entry Number: 1124463

³ List Entry Number: 1124462

5. Wrango Cottage Garden Wall defines the front of the appeal site. It is high and presents a solid boundary to the road. As well as the aesthetic value derived from its historic brickwork, scale and aged appearance, its significance also lies in the role it played in defining a private orchard or garden associated with Wrango Hall, and historic maps show that this was largely undeveloped until the 1960s.
6. Wrango or Wrango Hall stands opposite the site. It is an elegant miniature country house that dates from the 18th century. It has a formal front façade that enjoys an open prospect over the road and the historically associated land of the appeal site. The open and largely undeveloped nature of the appeal site is important to its setting. The matching walls fronting the Hall and the appeal site reinforce the connection between the two areas and illustrate the aspirations to develop a small country house with adjoining buildings and land put to ancillary functions.
7. The White Cottage is a more modest dwelling that stands alongside the road and faces over the eastern end of the appeal site. Its significance lies in its historic appearance, materials, and detailing. Given its more modest vernacular style it is unlikely that an open outlook across the site would have been an original design aspiration, and there is no functional link between it and the appeal site. However, by 1951 tall dormer windows had been added to the front and a section of the listed wall is slightly lower, thereby improving its outlook and suggesting a basic relationship with the undeveloped site. Although, without a functional link this association and views in this direction only modestly contribute to the building's significance.
8. The DVCA is characterised by its rich mix of historic buildings, that include the densely packed buildings at its core that are mainly to the west of the site, which front the road directly and form a tightly defined urban area; and the more spacious layout of plots and buildings to the east and west of this, which includes Wrango Hall. Open spaces and gaps between buildings hold their own significance, by providing a spacious setting to adjacent buildings and reinforcing the link between the village and its rural setting.
9. The appeal site is one such open space. It provides a pleasant gap in built form, along with the open environs of Wrango Hall opposite. The high walls however mean that views across the site are limited to those glimpsed through its gateways and given the largely level land it is difficult to appreciate the river from the road.
10. The existing bungalow faces the road end on with a plain timber clad gable over a broad garage door opening. Its orientation is at odds with the prevailing character of buildings fronting the road and it is recognised in the Conservation Area Appraisal as a building that is out of character. It is however reasonably discreet as a result of its position towards the side of the plot and does not significantly impact upon the outlook across the site from Wrango Hall.
11. The proposed replacement dwelling would take the form of a similarly sized bungalow that would front the road and thus be sited at 90 degrees to the existing. It would be set back further into the plot, but it would retain a close association with the northwest boundary and leave a large area of the site undeveloped. It would have a low scale, with a shallow roof and its eaves would sit directly over the heads of the windows.
12. The extent of the view across the open aspects of the plot from the main gateway would be similar to the existing, and the increased space between the front of the

building and the road would allow for carefully considered landscaping which would serve to soften the building's impact. A sense of the openness of this part of the DVCA would be retained by the proposal; and the level of activity or noise generated at the site would be unchanged as there would be no increase to the number of dwellings and the scale of the replacement would be similar to the existing.

13. The new dwelling would be constructed in modern materials. The timber cladding could serve to reduce its visual impact subject to detailing, as good quality timber that is left to weather down naturally would give its elevations a soft and natural appearance that would help it integrate with its garden setting. I accept that the metal roof would be quite different to the clay tiles that top most of the buildings in the area. However, it would not be overly prominent from the road as it would be set at such a low pitch and set back from the road behind a high wall. Furthermore, along with the timber clad walls, there is some merit in presenting the building as a departure from the norm. In this way it would identify itself as a clear addition to this historic space, without suggesting that the area has been occupied by buildings for a long time. Furthermore, its simple and rather functional material palette would give it an ancillary appearance that would be appropriate for a working garden or orchard associated with the more prestigious Hall opposite.
14. Policy DEN2 of the Neighbourhood Plan⁴ does not specify the materials with which new buildings should be built, but rather that development proposals should have full regard to design features that are considered essential to preserve the significance of the DVCA. The proposal responds positively to its context through the use of a simple material palette that could weather down and sit quietly within the site, aided by a modest overall scale and simple siting. For these reasons I can be satisfied that the existing character of the area and the significance of the site has been carefully considered. Its set back position and the ability to view it through the limited perspective of the opening in the wall would mean that the use of modern materials would not be obtrusive or jarring in the streetscene.
15. From the windows of Wrango Hall the proposed building would occupy a slightly broader extent of the view. However, it would have a simple low form and the dwelling would retain a position at the side of the plot. As a result, the central outlook across the plot that aligns with the front of the Hall would remain undeveloped and the connection and interrelationship of these spaces would be unaffected. The outlook from The White Cottage would be little changed by the proposal.
16. The dwelling's large openings would face away from the road. Road facing openings, which would also face towards Wrango Hall, would be ordinarily sized and similar to the openings on other road facing buildings nearby. The front of the dwelling would be set back from the road and behind landscaping, the details of which could be secured by condition if the appeal is allowed. As a consequence, I am satisfied that additional lighting at the site would not be harmful.
17. In summary, the proposal would not have a harmful effect on the significance of the listed buildings identified, and it would preserve the character and appearance of the DVCA. It would accord with the requirements of the LBCA and paragraph 212 of the Framework which states that great weight should be given to the

⁴ Denham Parish Neighbourhood Plan 2020-2036

conservation of a heritage asset. It would also accord with Policy EP3 of the South Bucks District Local Plan 1999, Policy DEN2 of the Denham Parish Neighbourhood Plan 2020 – 2036, and Policy CP8 of the South Bucks Local Development Framework Core Strategy Development Plan Document 2011. Together these seek to ensure that development proposals are compatible with local character, have full regard to design features that are considered essential to preserve the significance of the DVCA, and protect and, where appropriate, enhance the historic environment.

Other Matters

18. The appeal site is within the Green Belt. A previous proposal that was dismissed at appeal⁵ was found to be inappropriate development in the Green Belt as it was materially larger than the existing dwelling. The proposed dwelling would be smaller than the previously proposed replacement and would have a much smaller footprint as it would not include a basement. It would also have a more modest form, with a low roof. The Council is satisfied that it should not be regarded as materially larger than the existing dwelling, and that it meets the exception set out in paragraph 154 d) of the Framework. Based on my own assessment I can see no reason to take a contrary view.
19. The exception set out in paragraph 154 d) of the Framework does not require the impact on Green Belt openness to be considered. Accordingly, I do not consider it necessary to make the effect on the Green Belt a main issue of this appeal.
20. The proposed dwelling would be low lying and would not result in any increased impact on the living conditions of the occupiers of neighbouring dwellings. Third parties raise concern about potential future applications to develop other parts of the site; However, if such proposals were put forward they would be assessed on their own merits, and they can have no bearing on this appeal.

Conditions

21. I have had regard to the conditions suggested by the Council. I have considered these against the tests in the Framework and the Planning Practice Guidance. I have imposed condition 2 to specify the approved plans, to give certainty.
22. Conditions 3, 7 and 8 are necessary to secure the protection of existing trees and plants at the site, and secure details of new landscaping, to safeguard the character and appearance of the area.
23. Condition 4 is necessary to ensure that a sustainable drainage strategy has been agreed before work on the replacement dwelling commences to manage flood risk.
24. Conditions 5 and 6 are necessary to manage the appearance of the dwelling hereby approved, taking into account its sensitive location, to safeguard the character and appearance of the area.
25. Condition 9 is necessary to protect and enhance biodiversity and ecology at the site.

⁵ Planning Inspectorate Ref: APP/N0410/W/22/3299784

26. Condition 10 is necessary to ensure that appropriate parking provision is provided by the development and maintained in the future, to maintain the safe operation of the highway.
27. Regarding condition 11, permitted development rights have not been withdrawn in the Green Belt in the General Permitted Development Order. The Framework states that planning conditions should not be used to restrict permitted development rights unless there is a clear justification to do so, and the Planning Practice Guidance suggests that such conditions may not pass the tests of reasonableness or necessity. In this case, retaining a sense of openness across the site is also important to safeguard the setting of the listed buildings opposite. These site-specific reasons provide the clear justification that is necessary for imposing such a condition.

Conclusion

28. For the reasons given above the appeal should be allowed.

A Tucker

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos. 23 WRAN SL01, 23 WRAN SP01 Rev A, 23 WRAN EX01, 23 WRAN SP02 Rev B, 23 WRAN PE02, 220001-001 Rev B, 220001-002 Rev B, and 220001-003 Rev B.
- 3) The development hereby permitted shall be implemented in accordance with the Arboricultural and Planning Integration Report Ref GHA/DS/125760:23 and the separate Tree Protection Plan and under the supervision of a retained arboricultural specialist to ensure that the phasing of development accords with the stages detailed in the method statement and that the correct materials and techniques are employed.
- 4) No works other than demolition shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
 - Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components,
 - Ground investigations including:
 - Infiltration in accordance with BRE365,
 - Groundwater level monitoring during the winter period (From November until March),
 - Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy as outlined in paragraph 056 Reference ID: 7-056-20220825 of the Planning Practice Guidance,
 - Including a discharge rate as close as reasonably practical to greenfield run off rate,
 - Flotation calculations based on groundwater levels encountered during winter monitoring (November-March) or based on the worst case scenario of groundwater at surface level,
 - Drainage layout detailing the connectivity between the dwelling and the drainage component(s), showing pipe numbers, gradients and sizes, complete together with storage volumes of all SuDS component(s),
 - Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site,
 - Construction details of all SuDS and drainage components,

- Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance, and
 - Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction.
- 5) Prior to any above ground construction work commencing on site a schedule of materials to be used in the external surfaces of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of any joinery, windows and doors, rainwater goods, eaves and verge detailing. Thereafter the development shall be carried out in accordance with the approved details.
 - 6) Prior to any above ground construction work commencing on site a specification of all finishing materials to be used in any hard surfacing of the application site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
 - 7) Notwithstanding any indications illustrated on drawings already submitted, prior to the commencement of any above ground construction work a scheme of landscaping which shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads of those to be retained has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
 - 8) All planting, seeding, or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development, whichever is later, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
 - 9) Prior to the commencement of any above ground construction work, an ecological/biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved scheme and details.
 - 10) The scheme for parking and the manoeuvring of vehicles as indicated on the submitted plans shall be laid out prior to the first occupation of the development hereby permitted and the area shall not thereafter be used for any other purpose.
 - 11) Notwithstanding the provisions 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 development permitted by virtue of Classes A, B, C, or E of Part 1 of Schedule 2 to the Order shall be undertaken.