



Appeal Decision

Site visit made on 18 June 2025

by Mark Philpott BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2025

Appeal Ref: APP/N0410/W/24/3357494

1 Cheveley Gardens, Burnham, Buckinghamshire SL1 8AX

- 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 Miss Anisha Tashmeet Mann against the decision of Buckinghamshire Council.
 - The application Ref is PL/24/2616/FA.
 - The development proposed is erection of 3 bedroom detached dwelling family home with associated parking spaces.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (Framework) and the 2023 Housing Delivery Test results were published after the Council made its decision. However, both main parties had an opportunity to comment on any implications of these during the appeal. Moreover, the presumption in favour of sustainable development, as set out by paragraph 11 of the Framework, is applicable in any case as the Council cannot demonstrate a five year supply of deliverable housing sites. Accordingly, I have not sought the views of the parties about the matters.
3. A draft legal agreement has been provided for the appeal. It aims to secure mitigation in relation to potential effects of the proposal on the integrity of the Burnham Beeches Special Area of Conservation (SAC). I return to this later.

Main Issue

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

Reasons

5. The site is located to one side of the entrance to Cheveley Gardens. It includes a two storey detached house and a double garage, which are set back from the highway in a generous plot with an open fronted garden. Most of the other properties in the cul-de-sac have similar attributes with significant gaps between the houses. This provides Cheveley Gardens with a cohesive, open and spacious character, even though the site includes a tall boundary hedge facing the cul-de-sac's entrance and some of the properties have been extended and altered. Moreover, these characteristics endure despite No 10 featuring a differently designed house to the others and a large garage close to the highway.

6. The proposed house would occupy a prominent position on entry to and exit from the cul-de-sac. It would have a much squarer footprint and appear far narrower than the other houses. It would also be positioned significantly closer to and appear cramped between the highway and the existing house at No 1 when compared to the others. Furthermore, the proposal would require the removal of part of the site's boundary hedge and little space would remain for replacement planting beside the house, which would reinforce its cramped and incongruous appearance.
7. The garage at No 10 does not justify the harm that would arise from these issues, given it is clearly incomparable to the function and size of the proposed house. Although the front walls of the existing and proposed houses would align and the height, depth, design and materials of the latter would reflect other houses in the cul-de-sac, these factors do not outweigh the harm identified. Additionally, the appellant puts forward that the site is underused and the proposal would use it more effectively, but I disagree given that the cul-de-sac's generous plots contribute positively to its character, and due to the issues raised.
8. Consequently, the development would contrast poorly with the other properties in and the open and spacious character of the cul-de-sac. The character and appearance of the area would therefore be harmed. The proposal conflicts with policy CP8 of the Core Strategy Development Plan Document, policies EP3 and H9 of the South Bucks District Local Plan and chapter 12 of the Framework, which specify that development should be compatible with and sympathetic to its surroundings. The scheme also conflicts with the Residential Design Guide Supplementary Planning Document and the National Design Guide, which provide guidance that echoes the local and national policies.

Other Matters

9. The site is reportedly within the zone of influence of the SAC. If I were minded to grant permission, I would need to assess whether the scheme would adversely affect the integrity of the habitats site. However, even if there would be no adverse effect, this would constitute a neutral consideration rather than a benefit weighing in favour of the scheme.
10. It is uncontested that the site is in an accessible location and the proposal would be sustainably constructed, energy efficient, and incorporate renewable energy measures and wildlife enhancements. The Council also highlights that there would be benefits associated with the construction process and from the occupiers of the proposed house spending on and engaging with amenities in the locality. I have no reason to find otherwise. Additionally, while the extent of the Council's housing supply shortfall has not been detailed, the proposal would make a noteworthy contribution to addressing it.
11. However, having regard to the small amount of housing proposed, the sum of the scheme's benefits is modest. When assessed against the policies in the Framework taken as a whole, including the factors raised in its paragraph 11(d)(ii) and footnote 9, the benefits are significantly and demonstrably outweighed by the adverse impacts to the character and appearance of the area. Consequently, the Framework does not indicate in favour of the scheme.

Conclusion

12. The proposal conflicts with the development plan taken as a whole. Material considerations do not indicate that a decision should be taken other than in accordance with the development plan.
13. The appeal should therefore be dismissed.

Mark Philpott

INSPECTOR