



Appeal Decision

Site visit made on 6 January 2026

by **E Worley BA (Hons) Dip EP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 February 2026

Appeal Ref: APP/N0410/W/25/3362360

The White House, Lower Road, Gerrards Cross, Buckinghamshire SL9 8LG

- 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 T Cove on behalf of Rosewood Developments against the decision of Buckinghamshire Council - South Area (South Bucks).
 - The application Ref is PL/24/1061/FA.
 - The development proposed is the demolition of the existing dwelling and erection of 2 pairs of semi-detached dwellings and 2 detached dwellings.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing dwelling and erection of 2 pairs of semi-detached dwellings and 2 detached dwellings at The White House, Lower Road, Gerrards Cross, Buckinghamshire SL9 8LG in accordance with the terms of the application, Ref PL/24/1061/FA, and the plans submitted with it, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the area, and the Burnham Beeches Special Area of Conservation.

Reasons

Character and appearance

3. The appeal site comprises an existing detached dwelling and outbuilding, which sit on a spacious plot. The land rises from Lower Road to the front of the site, towards the rear boundary. There are residential properties to either side of the site and adjoining the rear boundary. The surrounding residential development is made up of dwellings of a mix of architectural styles and ages, including semi-detached and detached single storey and 2 storey dwellings, on plots which vary in size and shape.
4. The appeal proposal would see the construction of 2 pairs of semi-detached dwellings and 2 detached dwellings, in lieu of the existing detached dwelling and outbuilding which occupy the site. The dwellings would be served by a shared vehicular access from Lower Road. The introduction of residential development as proposed, would inevitably change the character and appearance of the site.
5. The proposed detached 2 storey dwellings, to the rear part of the site, would be compatible with those in the immediate area in terms of overall scale. The proposed semi-detached dwellings to the front of the site would, however, be

smaller in scale, particularly when compared to the larger detached dwellings in the area. However, notwithstanding their design, which includes the presence of 2 front doors, they would nevertheless be largely indiscernible as 2 separate dwellings when viewed in the wider streetscape, particularly in light of the shared frontage arrangement.

6. Moreover, given the rear gardens to serve the proposed semi-detached dwellings, which would be narrower in width than others in the vicinity, would be to the rear of the dwellings, they would not be widely perceived and would therefore not have a significant effect on the overall character and appearance of this part of the settlement. Consequently, when viewed together, each pair, including the provision of accommodation within the roof space, would be of a similar scale and height to nearby detached properties.
7. The cul-de-sac layout, with dwellings sited behind others, with a single shared access, would not be at odds with the layout of other residential development nearby. In addition, given the broad range of rear garden depths in the vicinity of the site, together with the resulting space between the built form within the site and the adjoining residential properties, which would not be unlike the gaps between the surrounding buildings, the proposed development would not appear unduly incongruous within the site context. In that regard, the proposal would accord with the aims of the National Planning Policy Framework which seek to achieve appropriate densities, and encourage development that makes efficient use of land, while maintaining an area's prevailing character and setting.
8. I appreciate the extent of the proposed built form, including areas of hardstanding, would exceed that on the site at present, which will reduce the amount of green space at the site. However, the submitted plans indicate that the boundary planting is to be retained, with scope within the site for landscaping within gardens, which could be secured by a suitable planning condition, so as to soften the effects of the development. Thus, notwithstanding the number of dwellings proposed, which may give rise to a higher density in numerical terms than the existing dwelling at the site and other developments in the locality, the proposed development would not appear a discordant feature, having regard to the overall character of the area.
9. While I note concern has been expressed regarding the effect of the development on the setting of the Centenary Conservation Area (CCA), the Council consider that, due to the very limited visibility of the development in views of the CCA, the proposal would not diminish the significance of the heritage asset through harm to its setting. Based on the evidence before me and my observations on site, I am not drawn to reach a different conclusion.
10. For the foregoing reasons I conclude that the proposal would not harm the character and appearance of the area. In that regard it would not conflict with the aims of Core Policy 8 of the South Bucks District Core Strategy Development Plan Document, adopted February 2011 (CS) which, among other things, requires all new development to be of a high standard of design and make a positive contribution to the character of the surrounding area, and Policy EP3 of the South Bucks District Local Plan, adopted March 1999, which sets out that development will only be permitted where it is compatible with the character and amenities of the site, adjoining development and the locality in general.

Burnham Beeches Special Area of Conservation

11. The appeal site is within the 5.6 km Zone of Influence of the Burnham Beeches Special Area of Conservation (SAC). The SAC is designated under the Conservation of Habitats and Species Regulations 2017 (as amended) (the Regulations) which impose a duty on the competent authority to consider whether the development would have a significant effect, either alone or in combination with other development, on the conservation objectives of the site, within the framework of an appropriate assessment.
12. The SAC is designated for its Annex I qualifying features which include Atlantic acidophilus beech forests with *Ilex* and *Taxus* in the shrub layer (*Quercion robur-petraeae* or *IlliciFagenion*), and Beech forests on acid soils. The proposed residential development at the appeal site, in combination with other development, has the potential to lead to adverse effects on the conservation objectives of the SAC through an increase in recreational disturbance. The Burnham Beeches Special Area of Conservation Strategic Access Management and Monitoring Strategy Supplementary Planning Document, adopted November 2020 (SPD) sets out that public access and disturbance impacts upon the SAC may include contamination (e.g. dog fouling, litter, spread of plant pathogens); increased fire risk; trampling/wear (e.g. loss of vegetation, soil compaction, erosion, damage to trees from climbing); harvesting (e.g. fungi, wood); difficulties in managing the site (e.g. maintaining the grazing regime); and disturbance (e.g. affecting the distribution of livestock and deer).
13. The Council indicate that, as set out in the SPD, the likely significant effects on the SAC could be mitigated by the payment of a financial contribution, to secure the required mitigation in accordance with the adopted Strategic Access Management and Monitoring Strategy (SAMMS), which includes visitor access management, monitoring and education measures, as agreed with Natural England.
14. A unilateral undertaking (UU) pursuant to Section 106 of the Town and Country Planning Act 1990 has been submitted as part of the appeal to secure the relevant financial contribution to mitigate the effects of the development upon the integrity of the SAC. The Council indicate that it is satisfied that the UU would overcome the second reason for refusal. Having regard to the evidence before me, I have no reason to reach a different conclusion. Therefore, following appropriate assessment under the Regulations, I am satisfied that adverse effects on the integrity of the SAC will be avoided. As the competent authority, I can agree to the proposal, and there will be no conflict with Core Policy 9 of the CS which seeks to protect the integrity of the SAC.

Other Matters

15. The Council indicate that the proposed 14 parking spaces to serve the development, as shown on the submitted site layout plan, would satisfy the requirements set out in the Council's Countywide Parking Guidance. While I appreciate concern regarding the possible future use of the first-floor studies in the semi-detached dwellings as bedroom space, given the very modest size of the rooms, there is no substantive reason to believe the development would not be laid out and used for any other uses than shown on the plans. In addition, the Highway Authority has not raised an objection to the proposal on highway safety grounds, having regard to the parking provision, access and manoeuvring

arrangements, or capacity on the surrounding roads. In light of the foregoing considerations, I have no reason to disagree.

16. The flank gable wall of the proposed dwelling to plot 4 would be closer to the boundary of the site with 16 South Park Drive (No.16) than the existing dwelling to be demolished and would introduce a built form greater in height and bulk than the current situation. However, it would extend only part way along the rear boundary of No.16, which benefits from a generous rear garden. As such, the proposal would not have a significant effect upon the outlook from the rear of No.16, or its rear garden space, or result in a loss of light, so as to cause harm to the living conditions of the occupiers of the property. In addition, given the siting of the proposed dwellings in relation to the neighbouring property at 18 South Park Drive (No.18), while the appeal proposal may be visible from No.18, it would not give rise to any material effects upon the living conditions of the occupiers of No.18.
17. Furthermore, due to the separation distance between the rear elevations of the adjoining properties at 14a, 14b, 14c and 14d South Park Drive, together with the siting and scale of the proposed dwellings immediately adjacent to the rear boundaries of these neighbouring properties, in particular the lower eaves and narrow side gable to the dwelling on plot 6, any significant effect upon light or outlook to the occupiers of the properties, would be avoided.
18. There are no first floor side windows in the flank wall elevations of the detached dwellings to plots 5 and 6. In addition, the first floor windows in the side elevations of the dwellings to plots 1 to 4 are shown to be obscure glazed, which could be secured by a planning condition, so as to prevent any direct overlooking of the adjoining properties to either side of the site. Despite the proximity of the first floor windows in the front and rear elevations of the proposed dwellings to the rear boundaries of the adjoining dwellings in South Park Drive that back onto the site, given the orientation of the new dwellings, with the front and rear elevations perpendicular to the side boundary of the site, any view from the windows towards the neighbouring properties would be at an oblique angle. Moreover, there is already a degree of overlooking of the adjoining properties and their gardens from the neighbouring properties, given the current layout of the surrounding residential development. Consequently, the proposal would not give rise to any direct overlooking or significant loss of privacy of the adjoining properties or their rear gardens.
19. Given the scale and residential nature of the scheme, there is no clear evidence to indicate the proposed development would lead to activities that would generate an unusual level or type of noise disturbance to neighbouring residents, or odours associated with refuse storage. Furthermore, while the construction process is likely to be disruptive it would be short-term and is not a reason to withhold permission.
20. The Council has not objected to the development on the grounds of the living conditions of the future occupiers of the dwellings. Given that the second-floor bedrooms would be served by 2 rooflights, there is no substantive evidence that this would not be sufficient to provide adequate natural light to these rooms. Nor is there any compelling evidence that the proximity of the dwellings to the electricity substation would be to the detriment of the health of future occupiers of the development, or that the position of the car ports would reduce the security of neighbouring properties.

21. Concerns have been expressed that trees were removed from the site prior to the planning application being submitted, which I appreciate may have had effects in terms of the outlook from the neighbouring properties. However, there is nothing before me to suggest the trees were protected or the works to remove them, or infill the pond on the site, were unauthorised. I have therefore assessed the proposal based on my observations on site and the evidence before me.
22. While I acknowledge concern expressed by interested parties regarding the risk of flooding, particularly given the extent of tree removal and the presence of an underground stream close to the site, there is no substantive evidence that the proposal would exacerbate flooding in the area. Moreover, there is no clear reason why the dwellings could not be constructed so as to ensure that the properties would not be at risk of future subsidence.
23. Subject to conditions to secure the delivery of biodiversity net gain through habitat creation, as shown on the submitted plans, alongside biodiversity enhancement measures such as integrated bat and swift boxes in the new buildings, sensitive lighting, a landscaping scheme and tree protection plan, the Council accepts that no adverse effects would arise in terms of biodiversity or protected species. Based on the evidence before me, I am satisfied that, subject to the imposition of suitable conditions, the proposal is acceptable in that regard.
24. Any restrictive covenants which may be in place are a civil matter that falls outside of the planning regime, as are party wall requirements.

Conditions

25. The conditions set out in the accompanying schedule are based on those suggested by the Council, should the appeal be allowed. Where I agree the conditions are necessary, I have amended the wording, in the interests of precision and clarity, and to comply with advice in the Planning Practice Guidance. In addition to the standard condition controlling the timescale within which the development must commence, a condition is required to specify the relevant plans, in the interests of certainty.
26. To safeguard the character and appearance of the area, conditions are required to ensure the use of external materials as shown on the plans and set out in the Design and Access Statement submitted as part of the application, and a landscaping scheme for the site, to include replacement planting in the event of failure, and to secure a tree constraints plan and method statement. To ensure the efficient use of resources, in accordance with Core Policy 13 of the CS, a condition is necessary to restrict water usage in the development.
27. To prevent overlooking of the adjoining residential properties, a condition is necessary to require the windows in the side elevations of the dwellings on plots 1 to 4 to be fitted with obscured glazing, and to restrict the opening parts of the windows. I have amended the Council's suggested condition accordingly.
28. A condition is necessary to secure a surface water drainage strategy, in accordance with the appellants amended Drainage Statement and Drainage Layout, to ensure the development would not exacerbate flooding in the area.
29. In order to conserve and enhance biodiversity and allow the Council to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as

amended), and in accordance with the Framework, conditions are necessary to secure a Landscape and Ecological Management Plan and a Construction Environmental Management Plan. These, together with the tree constraints plan and method statement condition, are pre-commencement conditions because the protection measures and mitigation need to be agreed before any works on site take place. For the same reasons, a condition to agree a suitable lighting strategy is necessary.

30. A condition to secure the implementation of the scheme for parking and manoeuvring of vehicles, prior to the occupation of the development, is necessary in the interests of highway safety.
31. The Council's suggested conditions include detailed lists of information it would like to see submitted. Where these are not needed for clarity, I have omitted generic lists of requirements, so that the parties can agree what is necessary to satisfy the conditions in light of the situation at the time and guidance applicable at the time approval is sought.

Conclusion

32. For the reasons given above, having regard to the development plan as a whole, and all other relevant material considerations, the appeal is allowed, subject to conditions.

E Worley

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:

16 Oct 2024 24 TCLR SP2E
28 May 2024 24 TCLR SP3C
16 Oct 2024 24 TCLR SP1J
2 Apr 2024 24 TCKR SL1
18 Oct 2024 24 TCLR CP1B
18 Oct 2024 24 TCLR SP5
11 Sep 2024 24 PCLR P1-4A
11 Sep 2024 24 TCLR P5D
11 Sep 2024 24 TCLR P6C
21 Oct 2024 24.46 001
21 Oct 2024 24.46 002A
- 3) The materials to be used on the external surfaces of the proposed dwellings hereby permitted shall be as shown on the approved plans and submitted Design and Access Statement.

- 4) The materials to be used on the areas of hardstanding within the site of the development hereby permitted shall be as shown on the approved plans and submitted Design and Access Statement. Retaining walls shall be constructed of materials matching the dwellings as approved within Condition 3.
- 5) Notwithstanding any indications illustrated on drawings already submitted, no development shall take place above ground level until a scheme of landscaping, which shall include details of all existing trees, shrubs and hedgerows on the site, including crown spreads, of those to be retained has been submitted to and approved in writing by the Local Planning Authority. None of the trees, shrubs or hedgerows shown for retention shall be removed or felled, lopped or topped within a period of five years from the date of this permission, without the prior written permission of the Local Planning Authority.
- 6) 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 the 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 the 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.
- 7) No works or development (including for the avoidance of doubt any works of demolition) shall take place until a tree constraints plan and method statement (in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction' (or any replacement thereof or EU equivalent)) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 8) The dwellings hereby approved shall be constructed to meet, as a minimum, the higher standard of 110 litres per person per day using the fittings approach as set out in the 'Housing: optional technical standards' guidance and prescribed by Regulation 36(2)(b) of the Building Regulations 2010.
- 9) The dwellings hereby permitted on plots 1 to 4 shall not be occupied until the first floor windows in the side elevations have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the Local Planning Authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.
- 10) No works (other than demolition) shall begin until a surface water drainage scheme for the site, based on Amended Drainage Statement (DB/GF/HP/64138 01B, 22/10/2024, PRP) and Drainage Layout (101 P2, 22/10/2024, PRP) 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, and shall be retained for the lifetime of the development.

- 11) No development shall take place (including demolition, ground works, vegetation clearance) unless and until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following.

1. Description and evaluation of features to be managed, including integrated bat and swift boxes;
2. Ecological trends and constraints on site that might influence management;
3. Aims and objectives of management which will (without limitation) include the provision of biodiversity net gain within the Site as shown within the Biodiversity Gain Plan;
4. Appropriate management options for achieving aims and objectives;
5. Prescriptions for management actions;
6. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
7. Details of the body or organization responsible for implementation of the plan;
8. Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall be for no less than 30 years. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

- 12) No development shall take place (including demolition, ground works, vegetation clearance and any construction works) until a Construction Environmental Management Plan (CEMP) detailing, in full, measures to protect existing habitat during construction works and to safeguard protected and notable species, has been submitted to and approved in writing by the Local Planning Authority. The CEMP should be completed in accordance with the British Standard on Biodiversity BS 42020:2013. The development shall be undertaken and thereafter maintained in accordance with the approved CEMP.
- 13) Prior to the installation of external lighting, full details including height, design, location, intensity and shall be submitted to and approved in writing by the Local Planning Authority. The lighting installation shall then be carried out in accordance with the approved details.
- 14) The scheme for parking and manoeuvring of vehicles shown on the submitted plans shall be laid out prior to the first occupation of the development hereby permitted and that area shall thereafter be kept available for those purposes.

*******end of conditions *******