

Appeal Decision

Site visit made on 31 May 2016

by David Cliff BA Hons MSc MRTPI

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

Decision date: 22 June 2016

Appeal Ref: APP/K0425/W/16/3146163

27 Straight Bit, Flackwell Heath, Buckinghamshire HP10 9LT

- 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 Maplewood Homes (Development) Ltd against the decision of Wycombe District Council.
 - The application Ref 15/08227/FUL, dated 19 November 2015, was refused by notice dated 17 February 2016.
 - The development proposed is described in the application form as 'the erection of two detached two-storey dwellings (1 x 3-bed and 1 x 5 bed) with bin stores, car parking area and alterations to existing access (resubmission pursuant to planning application 14/07593/FUL)'.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing dwelling and erection of two detached two-storey dwellings (1 x 3-bed and 1 x 5 bed) with bin stores, car parking area and alterations to existing access at 27 Straight Bit, Flackwell Heath, Buckinghamshire HP10 9LT in accordance with the terms of the application Ref 15/08227/FUL, dated 19 November 2015, and subject to the conditions in the attached schedule.

Preliminary Matter

2. Notwithstanding the description of development on the application form, it is clear that the proposal would also include the demolition of the existing dwelling. I have therefore incorporated this into the revised description used in my formal decision, noting also that this is included in both the Council's decision notice and on the appeal form. I have considered the appeal on this basis.

Main Issues

3. The main issues are the effect of the proposed development upon the character and appearance of the area, whether it would provide satisfactory amenity space for future occupiers and whether there would be sufficient parking provision.

Reasons

4. The site comprises an existing two storey dwelling located on a prominent corner plot. The dwelling is located centrally within the site and its setting
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- benefits from a good proportion of landscaping, including trees and boundary hedges.
5. In dismissing the previous appeal¹ for two dwellings at this site, the Inspector's concerns included that the requirement for parking and manoeuvring space, along with the footprints of the proposed dwellings, would reduce the amount of amenity space and the openness of the site. In contrast, the current scheme has reduced the size of the dwelling on plot 1 from a 5 bedroom to a 3 bedroom dwelling with the resulting benefit of reducing the overall parking requirement. It has two parking spaces proposed to its side allowing an increased amount of green landscaping adjacent to the front of the dwelling. The increased amount of space at the rear of the site would also provide opportunity for some tree and shrub planting between the houses and the adjacent recreation ground. Whilst the overall parking and manoeuvring area would still be large, I consider that the current proposal provides an acceptable balance between hard surfaces, buildings and soft landscaping, providing for a satisfactory setting for the two new dwellings within the streetscene and surrounding area.
 6. The dwelling on plot 1 has a greater depth of rear garden than the previously dismissed scheme. Whilst this area is still fairly limited for a three bedroom dwelling, there is also an area of amenity space to its side. Overall I consider that the dwelling would have a usable outdoor amenity area which would benefit from some, albeit limited sunlight, for part of the day. Plot 2 would have a more generous garden depth of at least 10.5m. Furthermore both the proposed dwellings back on to the recreation ground which, including a children's play area, would provide readily accessible community amenity space. Indeed, the previous appeal Inspector recognised that *to some extent any deficiencies in the usability of the proposed amenity space would be balanced by the easy access any future occupants of the proposed dwelling would have to the adjacent recreation ground and children's play area*. I am therefore satisfied that that overall amenity provision would be satisfactory for the future occupiers of these family dwellings.
 7. The dwelling on plot 1 has also been reduced in height from the previous appeal proposal. Taking all the relevant factors into account, the resulting development would not appear as being cramped or incongruous within the streetscene and surrounding area.
 8. In terms of parking provision, two spaces are proposed for the three bedroom dwelling and four parking spaces for the five bedroom dwelling. Such provision numerically exceeds the Council's parking requirements. Whilst in practical terms, the tandem parking spaces would not be ideal, these would relate to only one of the dwellings and two of the spaces would be accessible at all times. Any inconvenience caused would not be a matter to justify an objection on parking grounds.
 9. For the above reasons, the proposed development would provide sufficient parking provision along with amenity space for future occupiers and would not result in any harm to the character and appearance of the area. I consider that it satisfactorily resolves the concerns raised by the previous appeal Inspector and would not amount to an over development of the site. It would accord

¹ APP/K0425/W/15/3006539

with the relevant design, amenity and parking aims of policies G3 and H19, along with Appendix 1 (Residential Design Guidance) of the Adopted Wycombe District Local Plan to 2011 and policy CS19 of the Wycombe Core Strategy Development Planning Document (July 2008).

Conditions

10. In addition to the standard time limit condition, an approved plans condition is necessary to provide certainty to what has been approved. Conditions requiring the approval of external materials for both the new buildings and hard surfacing are necessary to ensure the satisfactory external appearance of the development. A method statement to protect existing trees to be retained and a landscaping scheme are necessary in order to safeguard the character and appearance of the area. A condition requiring details of boundary treatment is necessary in the interests of both the overall appearance of the scheme and the living conditions of the occupiers.
11. A requirement for the provision of the proposed vehicular access is necessary in the interests of highway safety. A condition for the implementation of approved parking and manoeuvring areas is necessary to provide for appropriate parking provision and highway safety. The water efficiency requirement accords with the optional requirement of 110 litres per head per day and is necessary in order to safeguard resources and in the interests of sustainable development.
12. I consider that exceptional circumstances exist in this case to withdraw permitted development rights for extensions including roof extensions. Otherwise, given the limited size of the site, extensions could be carried out in future that could be detrimental to the setting of the development or place further pressures on the need for outdoor amenity and parking space. A condition is also necessary in relation to first floor side windows to prevent overlooking to either property.
13. I have not included the Council's suggested requirement for the scheme to provide a 15% reduction in carbon emissions on site through decentralised renewable and/or low carbon sources. This is imprecise due to there being no defined baseline from which to measure the reduction and it is not consistent with national policy set out in the Ministerial Statement of 25 March 2015. I have also not added the Council's suggested condition on noise. Whilst the proposed dwellings are located adjacent to the main road, I have not been provided with any evidence to suggest that stricter noise controls are required than would normally be the case. I am therefore not persuaded that the condition is necessary for this development.
14. I have made alterations to the wording of several of the conditions suggested by the Council and have joined some together for preciseness and clarity, but these do not alter the essence of the requirements sought by the conditions.

Conclusion

15. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

David Cliff

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. Unless varied by other conditions of this decision, the development hereby permitted shall be carried out in accordance with the following approved plans: 14/07/00a, 2013-64-1A, 2013-64-2, 14/07/01K, 14/07/02/F and 14/07/03/A.
3. No works or development (including demolition) shall take place until a method statement and plan detailing (i) existing trees, hedges and shrubs to be retained and (ii) measures for their protection (including any necessary protection areas, areas for no-dig construction and arboricultural supervision) has been submitted to and approved in writing by the local planning authority. The development (including demolition) shall be carried out in accordance with such approved details and method statement. If during any works any such tree, shrub or hedge dies, is destroyed or becomes seriously damaged or diseased, it shall be replaced during the following planting season with another of a similar size and species, unless otherwise approved in writing by the local planning authority.
4. No development other than demolition shall take place until details and/or samples of the materials to be used in the construction of the external surfaces of the dwellings 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.
5. No development other than demolition shall take place until details and/or samples of all external hard surfacing materials have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
6. No development shall take place until a plan showing the positions, design, materials and type of any boundary treatment to be erected has been submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before either of the buildings are occupied. Development shall be carried out in accordance with the approved details.
7. No dwelling shall be occupied until a landscaping scheme for the site has been submitted to and approved in writing by the local planning authority including both proposed and retained planting. Thereafter, the approved landscaping scheme shall be carried out fully within 12 months of the first occupation or completion of the development (whichever is the sooner). Any trees or other plants shown in the approved scheme which within a period of three years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless, otherwise approved in writing by the local planning authority.
8. No dwelling shall be occupied until the new means of vehicular access has been carried out in accordance with the approved drawing No 14/07/01K.

9. No dwelling shall be occupied until the parking and manoeuvring areas have been provided in accordance with drawing No 14/07/01K and those areas shall thereafter be kept available for the parking and turning of vehicles.
10. Both dwellings hereby permitted shall be designed and constructed to meet a water efficiency standard of 110 litres per head per day.
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 described in Classes A or B of Part 1 of Schedule 2 of the 2015 Order, shall be carried out other than that approved by this planning permission.
12. The windows to be inserted in the first floor flank elevations of the dwellings hereby permitted shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass. The windows shall thereafter be retained as such.