
Appeal Decision

Site visit made on 30 August 2016

by Chris Forrett BSc(Hons) DipTP MRTPI

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

Decision date: 30th September 2016

Appeal Ref: APP/K0425/W/16/3151875

207 Hughenden Road, High Wycombe, Buckinghamshire HP13 5PL

- 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 Thara Developments against the decision of Wycombe District Council.
 - The application Ref 16/05241/FUL, dated 26 January 2016, was refused by notice dated 27 April 2016.
 - The development proposed is the demolition of existing building and erection of 5 x 2 bed and 1 x 3 bed apartments. Attention to existing access and associated external works.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing building and erection of 5 x 2 bed and 1 x 3 bed apartments, attention to existing access and associated external works at 207 Hughenden Road, High Wycombe, Buckinghamshire HP13 5PL in accordance with the terms of the application, Ref 16/05241/FUL, dated 26 January 2016, subject conditions set out in the schedule to this decision letter.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and the living conditions of future occupiers of the development with particular regard to private amenity space.

Reasons

Character and appearance

3. The appeal site is located on the south-west corner of Hughenden Road and Coates Lane, which is a residential area of High Wycombe. The Hughenden Road area is characterised by properties from the early twentieth century with pitched roofs with a variety of terraced, semi-detached and detached properties of generally two-storey design and scale. There is a mixture of differing materials in the area with several properties either having facing brickwork or render, with tiled roofs. Properties generally front the main road with rear garden areas with pockets of mature landscaping along the street frontage. Coates Lane, exhibits a weaker character and its southern side is punctuated by side gardens of the properties of Manor Gardens. The land in the area also slopes downwards in an east-west direction. The site currently comprises of a detached dwelling on a large plot.
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4. The concern raised by the Council relates to the flat roofed design, scale and bulk of the proposed development.
5. The flat roof design of the proposal is not typical of the streetscene in Hughenden Road. However, at my site visit I saw the new dwellings being constructed nearby on Coates Lane (Hughenden Quarter development) which is visible from outside the appeal site. These dwellings have a mixture of flat roofed and mono-pitched buildings, together with some more traditionally designed properties. Having had regard to the development in the Hughenden Quarter, to my mind, the flat roof design of the appeal development would not appear as an incongruous design or feature in the area.
6. Turning to the scale and bulk of the building, the proposal would consist of a three storey development. However, its overall height would be broadly similar to other development on this side of Hughenden Road, with properties on the opposite side of the road set at a higher level owing to the land level differences.
7. The design of the proposal incorporates a projecting corner feature and balconies together with a mixture of brickwork, render and cladding panels. The use of a palette of differing materials and the projecting balconies would significantly break up the bulk and massing of the building.
8. Whilst the siting of the building would be slightly closer to the highway boundaries than the existing building it would not be further forward than the adjoining buildings. It would also present a well-balanced building which would take advantage of its corner plot setting and would not appear out of place in the streetscene.
9. In respect of the overall density of the development it is acknowledged that the appeal proposal would be more densely developed than other sites in the vicinity of the site. However, for a development consisting of apartments, it is not uncommon to have a higher density than dwellinghouses. Given my conclusions on the overall design and scale of the proposed building, I consider that a density of 60 dwellings per hectare is not unacceptable in this instance.
10. For the above reasons, I conclude that the development would not give rise to any significant harm to the character and appearance of the area and would accord with Policy G3 and Appendix 1 of the Wycombe District Local Plan 2004 (LP) and Policy CS19 of the Wycombe Development Framework Core Strategy 2008 (CS) which amongst other things seeks to protect the character and appearance of the area.

Living conditions

11. The development would provide two amenity areas, one at the frontage to the site at the corner of Hughenden Road and Coates Lane, and a sizeable area to the side of the property adjoining 205 Hughenden Road.
12. Each of the first and second floor apartments would also have a balcony fronting Hughenden Road, whilst the ground floor apartments have a similar external area. Notwithstanding this, the council have placed an emphasis of the quality of the available space as opposed to the quantity.
13. As I understand it several of the trees along the boundary of No 205 are the subject of a Tree Preservation Order. These trees are located to the south of

the site and at certain times of the day would cast shadows over parts of this communal garden area. However, the garden would still benefit from direct sunlight and to my mind this would provide an amenity area of sufficient quality to support the occupants of the apartments.

14. I acknowledge that there may be some pressure to undertake works to these trees. However I consider that this is not significantly different from the current position. Whilst the presence of the trees may lead to increased maintenance regimes for the building and the garden area, this is not a reason to withhold planning permission.
15. The reason for refusal also refers to noise pollution to the amenity areas to the road frontages, although this has not been elaborated further. Whilst traffic noise could have some negative impacts, I have not been provided with any evidence to suggest that such noise would be excessive. From my site visit I noted a steady flow of traffic, and some noise, but this did not seem excessive nor was it overbearing.
16. I note that the proposal would also include a 2 metre high acoustic fence between the proposed building and the boundary of No 205. Even if traffic noise would discourage the use of the balconies and frontage area, the acoustic fence would provide a significant level of noise mitigation to the larger amenity area.
17. Given the above, I consider that the amenity areas provided for the apartments would be of a sufficient size and quality to support the future occupiers. That is to say the space would be of a size to allow occupiers to carry out all the domestic activities one would normally expect for the size of the apartments.
18. I have also had regard to the other living conditions matters raised in the representations. Whilst there are several habitable room windows facing 205 Hughenden Road, the first and second floor windows are angled to face the main road and away from the rear garden of No 205. In respect of the ground floor windows, these would be directly facing the side wall of No 205, and together with the existing screening along the boundary, they would not result in any loss of privacy to the occupants of No 205.
19. For the above reasons I conclude that the development would provide suitable living conditions for the future occupants of the development and would not adversely impact on the privacy of neighbouring properties. Consequently the proposal would accord with Policy G8 and Appendix 1 of the LP and Policy CS19 of the CS which amongst other things seek to ensure that future occupants have suitable living conditions and new development protects the amenity of the occupiers of surrounding properties. Furthermore it would also accord with the design principles of the Framework.

Other matters

20. I have also had regard to the traffic generation as a result of the development and in particular congestion and potential highway safety matters at the junction of Coates Lane and Hughenden Road. However, I note that Buckinghamshire County Council, as Highway Authority, raise no objections to the proposal and having observed the traffic conditions on site I have no reason to dispute their conclusions.

Conditions

21. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty. Conditions relating to materials and means of enclosure are appropriate in the interest of the character and appearance of the area. A condition is also required in relation to tree protection measures to ensure that the protected and retained trees are not harmed by demolition or construction works. However, suitable measures are already outlined in the Arboricultural and Planning Integration Report submitted with the application and I have amended the suggested condition accordingly.
22. Conditions are also necessary for the provision of the parking and turning area, cycle and bin storage, and visibility along Coates Lane in the interests of highway safety, to encourage sustainable means of transport, and to provide adequate means of refuse storage. The provision of a carbon reduction scheme is also necessary for environmental reasons and to accord with the provision of Policy CS18 of the CS.
23. Whilst the plans show a 2 metre high acoustic fence, there are no details of its specification. Given that this is required to ensure that the main amenity area does not suffer from excessive traffic noise, further details are required. For the same reasons, the fence should be retained for the life of the development.
24. With the exception of the tree protection measures it is not necessary for any of these to be pre-commencement conditions. It is necessary for the tree protection measures to be in place prior to demolition works to ensure that the protected and retained trees are not damaged during the period of construction works.

Conclusion

25. Taking all matters into consideration, for the reasons given above I conclude that the appeal should be allowed.

Chris Forrett

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1401-PL2B; 1401-PL3A.
- 3) Notwithstanding the submitted details prior to the commencement of the construction of the external surfaces of the building a schedule and samples of the materials to be used in the external surfaces of the building hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

- 4) Prior to the first occupation of any part of the development the parking and manoeuvring areas indicated on the approved plans shall be laid out and shall not thereafter be used for any other purpose.
- 5) Prior to the first occupation of any part of the development details of all screen and boundary walls, fences and any other means of enclosure (including details of the nature and extent of the acoustic fence) shall be submitted to and approved in writing by the local planning authority. The development shall thereafter only be carried out in accordance with the approved details and the building hereby approved shall not be occupied until the details have been fully implemented. The acoustic fence to the garden area shall thereafter be retained for the life of the development in accordance with the approved details unless otherwise first agreed in writing by the local planning authority.
- 6) Prior to the first occupation of any part of the development the cycle and bin stores shall be provided in accordance with the approved plans. Both stores shall be retained in accordance with the approved details for the life of the development.
- 7) Prior to the first occupation of any part of the development details shall be submitted which demonstrate that the site boundary along Coates Lane is reduced (or replaced) to a height of not exceeding 0.6 metres in height for its entire length. The building hereby approved shall not be occupied until the boundary treatment has been reduced or replaced in accordance with the approved details and shall be retained as such for the life of the development.
- 8) No development shall take place until the tree protection fencing identified in the Arboricultural and Planning Integration Report, including the Tree Protection Plan rev A, has been implemented in full. During the period of construction works the protective fencing shall remain in place. All construction work within the identified ground protection and no dig construction areas shall be carried out in accordance with the recommendations outlined in the report unless otherwise first agreed in writing by the local planning authority.
- 9) Prior to the first occupation of the development a carbon reduction scheme delivering a 15% reduction in carbon emissions on site through the use of decentralised renewable and/or low carbon sources shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of any part of the development and shall remain operational for the life of the development unless otherwise first agreed in writing by the local planning authority.