
Appeal Decision

Site visit made on 26 September 2016

by Chris Forrett BSc(Hons) DipTP MRTPI

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

Decision date: 28th October 2016

Appeal Ref: APP/K0425/W/16/3153167

**Suffolk House, 54-55 The Green, Wooburn Green, High Wycombe,
Buckinghamshire HP10 0EU**

- 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 RAP Building and Developments against the decision of Wycombe District Council.
 - The application Ref 15/07621/FUL, dated 18 September 2015, was refused by notice dated 30 December 2015.
 - The development is described as a proposed two storey rear extension with accommodation in the roofspace. Three one bedroom flats with parking.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. An amended plan (P05A) was submitted with the appeal which includes some detail of the proposed bin and cycle storage facilities. Having regard to the 'Wheatcroft' principles, I consider that there would be no prejudice to any party by accepting this plan at the appeal stage.
3. The Council have confirmed that these matters could now be dealt with by means of suitably worded planning conditions and therefore the second and third reasons for refusal are no longer being pursued. I have therefore dealt with the appeal on this basis.

Main Issues

4. The main issues are the effect of the development on:-
 - i. the character and appearance of the area;
 - ii. the on highway safety with particular regard to the adequacy of on-site parking provision; and
 - iii. the living conditions of the occupiers of the flats to the rear of No 53 with particular regard to outlook and the availability of light, and the future occupiers of the development with particular regard to private amenity space.
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Reasons

Character and appearance

5. The appeal site is located to the rear of 54 & 55 The Green which has a part Neo-Georgian style, part Victorian style façade, and some mock-Tudor style painted timber framing. As I understand it the building was previously extended to the rear and a new residential block constructed (the Coach House) in a mock-tudor style. The site is highly visible from Red Lion Way with views across the adjacent public car park.
6. The site is also located within the Wooburn Green Conservation Area (WGCA). The WGCA includes the properties which surround The Green and extends to the southeast to include the Manor House and the former kitchen garden to Wooburn House. The majority of buildings within the WGCA are of a historic nature in a variety of differing styles.
7. The height and scale of Suffolk House is much greater than the adjoining development to the south and the proposed extension would project out by approximately 10.1 metres and would be of a similar form and scale of the existing development. Whilst this would not project as far as the rear extension at No 53, it would be of a much greater height.
8. The extent of the rearward projection, combined with its height and scale, would give rise to a significant increase in massing of the building and would appear as an overly large extension to the detriment of the appearance of the GMCA.
9. The use of a mock-Tudor style finish to the extension would do little to enhance the character of the GMCA. However, given that this is prevalent on the rear of Suffolk House and The Coach House fronting Red Lion Way, and visually it is these buildings which the extension would be seen against, I consider that it would lead to less than substantial harm to the overall character of the GMCA.
10. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the character or appearance of the GMCA.
11. Paragraph 134 of the National Planning Policy Framework (the Framework) states that where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
12. In this case, the provision of additional housing could be a public benefit. However, whilst the harm to the significance of the heritage asset would be less than substantial, the public benefits are not sufficient to outweigh this harm. That provides a compelling case for dismissing the appeal
13. For the above reasons, I conclude that the proposal would fail to preserve or enhance the character or appearance of the WGCA. Therefore the development would conflict with Policies G3, HE6 of the Wycombe District Local Plan to 2011 (2004) (LP) and Policy CS19 of the Wycombe Development Framework Core Strategy (2008) (CS) which amongst other things seek to preserve the character and appearance of the District and Conservation Areas. The development would also be at odds with the conservation aims of the Framework.

Highway safety

14. The site currently has 15 parking spaces marked out in the car park between The Coach House and Suffolk House. The development would result in the (net) loss of two parking spaces and would also create additional demand as a result of the three additional residential units. As I understand it, the parking standard in the Buckinghamshire Countywide Parking Guidance document indicates that three parking spaces should be provided to serve the new residential development.
15. At the time of my site visit, the appeal site parking area had 12 vehicles parked within it. The adjoining public car park was full (with further vehicles attempting to find a parking space). There was also extensive on street parking on Red Lion Way. Whilst some parking spaces were available on The Green, these were being utilised for short stay parking associated with the commercial units.
16. The appellant has provided a parking survey for the appeal site car park which indicates a maximum demand for the existing use of 13 vehicles, although it is understood that not all of these vehicles may be associated with Suffolk House. Notwithstanding that, it is not clear whether Suffolk House was fully occupied at the time of this survey. Indeed, at the time of my site visit it appeared that some of the ground floor was not occupied as some internal refurbishment works were being undertaken.
17. Whilst I consider that there could be an element of shared parking between the commercial and residential uses, from the evidence before me and what I observed on site, the development would be likely to result in an insufficient number of parking spaces within the site to accommodate the parking needs of the existing and proposed development. Given the heavy use of the adjoining public car park, this would inevitably lead to habitual displaced parking on the highway.
18. Red Lion Way comprises of a carriageway of approximately 4.8 metres in width with a footway on its western side. Whilst Red Lion Way does not generate high volumes of traffic I observed regular vehicle movements, which appeared to be in search of an available parking space. To my mind, an intensification of on street parking demand would be likely to result in an unacceptable increase in highway danger particular given the relatively narrow width of Red Lion Way and its limited pedestrian footway.
19. Paragraph 32 of the Framework indicates that developments should only be prevented if a safe and suitable access to the site for all people cannot be achieved. In this case, as a result of insufficient on-site parking provision, the development would not provide a safe and suitable access for all.
20. For the above reasons, I find that there would be significant harm to highway safety and as such the proposal would conflict with Policy CS20 of the CS and the Framework which seeks to ensure that developments have a safe and suitable access for all people.

Living conditions

21. To the rear of 53 The Green, there is a development of four 1 bedroom flats (Danny's Diner), of which the first floor flats have windows in proximity to the

- boundary and directly facing the appeal development only separated by a pedestrian walkway.
22. From the plans supplied by the appellant, both of the first floor flats have a kitchen window which face the development. Whilst the living accommodation is open plan and there is also a larger window in the lounge area on the opposite side of the building, the appeal proposal would have a significant effect on the outlook from the kitchen windows as the occupants of the flats would look directly at the side wall of the extended building.
 23. In addition to the adverse effect on outlook, the proposal would also have some impact on daylight entering the kitchens. Whilst I have not been provided with evidence to demonstrate the extent of this, in combination with the adverse effect on outlook that I have already identified this adds weight to my conclusion that the development would harm the living conditions of the occupiers of both of the first floor flats.
 24. I have also considered the effect of the development on the outdoor amenity areas of these flats. In this case, I consider that the development would not have a significant adverse effect on the occupiers of the flats when they are utilising this outdoor space given their location and relationship to the surrounding land.
 25. Turning to the living conditions of the future occupiers of the development, the scheme does not provide for any useable private amenity area, even when taking into account the narrow wedge of land shown on the amended plan.
 26. The Council have drawn my attention to Appendix 1 of the LP. This outlines for flats, private amenity space could be provided communally in part, or by a balcony, patio, veranda, or for ground floor flats an enclosed garden area. There is also an emphasis on the quality of such space and the area should be sufficient for two people to be able to sit outside.
 27. In this case, the proposal does not provide for any useable space, and relies on the occupiers being able to use The Green as their amenity area. Whilst I acknowledge that this could provide some amenity benefit to the future occupants, it should not be substituted for suitable private amenity space.
 28. Reference has been made to other residential units in the surrounding area which do not benefit from such direct provision of amenity space, although none have been specifically drawn to my attention. Notwithstanding that, the existence of such properties does not outweigh the need to provide future occupants of new dwellings with a suitable standard of living accommodation, including an outdoor amenity area.
 29. For the above reasons the development would give rise to significant harm to the living conditions of the occupiers of the first floor flats to the rear of 53 The Green (Danny's Diner) and would not provide a suitable living environment for the future occupiers of the development. Therefore the development would conflict with Saved Policies G8 and H19 of the LP which amongst other things seek to protect the amenity of the occupiers of residential properties and provide for a suitable living environment for future occupiers of new developments.

Planning balance

30. The Council have confirmed that they do not have a five year housing land supply. From the evidence before me, it is unclear what the current shortfall in the Council's five year housing land supply is, although the Council in their five year housing land supply position statement (November 2015) have indicated a supply of 3.8 years. Notwithstanding this, the provision of three additional dwellings is unlikely to have any significant effect in reducing the deficit.
31. In considering the economic and social aspects of sustainable development I acknowledge that the proposal would bring some minor benefits to the area. These matters are in favour of the proposed development.
32. I have found that the proposed development would give rise to significant harm to the character of the WGCA, highway safety, and on the living conditions of the occupiers of the flats to the rear of 53 The Green. Additionally, it would not provide adequate living conditions for the future occupiers of the development. These factors weigh heavily against allowing the proposed development.
33. To my mind, the factors identified as weighing against the proposed development significantly and demonstrably outweigh the minor factors in its favour. The proposed development cannot therefore be considered to be sustainable development. As such it would not accord with the sustainability aims of the Framework.

Conclusion

34. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR