

Appeal Decision

Site visit made on 6 December 2016

by Rory Cridland LLB (Hons), Solicitor

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

Decision date: 18 January 2017

Appeal Ref: APP/K0425/W/16/3156012

232 West Wycombe Road, High Wycombe, Buckinghamshire HP12 3AR

- 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 Mr Jonathan Bennett against the decision of Wycombe District Council.
 - The application Ref 15/08234/FUL, dated 23 November 2015, was refused by notice dated 27 May 2016.
 - The development proposed is demolition of two existing buildings and construction of 6 x 2 bed dwellings and 2 x 1 bed dwellings, associated car parking, amenity space, landscaping and refuse storage accommodation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of occupiers of No 232C West Wycombe Road with particular regard to noise and disturbance.

Reasons

3. The appeal site is located on Wycombe Road, a busy main road leading to High Wycombe. It currently contains a large detached building which was previously used as a dental practice. It is separated from neighbouring No 232C by a shared driveway which provides access to the rear of the appeal property and a detached garage serving No 232C.
 4. The Council is concerned that, in view of the proposed parking provision's siting to the rear of the site, the additional movements along the access way would result in increased levels of noise and disturbance to the rear of No 232C. These concerns are well founded. The proposal would relocate the parking provision to the rear of the site, which the appellant accepts would previously been used for overspill parking. At the same time, it would result in a significant intensification of residential use. This would introduce a large number of vehicular movements to an area where previously numbers would have been limited. Moreover, such movements would take place over a considerably longer period and would continue significantly later into the evening than those which would result from its extant use. As a result, their impact on those occupiers of No 232C is likely to be materially greater
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5. In seeking to address these concerns, the applicant has submitted a Traffic and Noise Statement which indicates an overall reduction in vehicular movements and noise compared to those associated with the existing permitted use. The statement, however, fails to take account of the fact that historically the vehicular movements would mostly affect the front of the site. This significantly limits their impact on the occupiers of No 232C.
6. In addition, I observed on site that there appeared to be a number of habitable rooms to the rear of No 232C which would be affected by increased noise levels in this area. In the absence of any robust evidence which would indicate that increased noise levels in this area would be within reasonable levels or could be adequately mitigated, I cannot be satisfied that the living conditions of the occupiers of No 232C would not be materially compromised.
7. While I note the appellant has sought to mitigate any adverse impacts by means of an acoustic fence located immediately opposite the entrance to the flats, the plans indicate that this would result in the access to the existing detached garage being impeded. This would be contrary to CS Policy CS19 which, amongst other things, requires new development to have regard to the amenity of neighbouring uses.
8. Accordingly, I conclude that the proposal would be materially harmful to the living conditions of occupiers of neighbouring No 232C. As such, it would be contrary to Policy G8 of the Wycombe District Local Plan¹ and Policy CS19 of the Core Strategy². These policies seek to, amongst other things, ensure that new development does not impact adversely on neighbouring occupiers by reason of traffic noise and disturbance. I do not, however, consider it would be contrary to Policy H19 which is concerned with ensuring that new development includes conveniently located, usable outdoor amenity space.

Conclusion

9. For the reasons set out above, I conclude that the appeal should be dismissed.

Rory Cridland

INSPECTOR

¹ Wycombe District Local Plan to 2011 (adopted Jan 2004 (as amended))

² Wycombe Development Framework Adopted Core Strategy Development Plan Document (adopted July 2008)