
Appeal Decision

Site visit made on 16 January 2017

by Veronica Bond LLB (Hons), Solicitor (non-practising)

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

Decision date: 6 February 2017

Appeal Ref: APP/K0425/W/16/3155738

301 Desborough Avenue, High Wycombe, Buckinghamshire HP11 2TL

- 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 Haq Nawaz against the decision of Wycombe District Council.
 - The application Ref 15/07685/FUL, dated 27 September 2015, was refused by notice dated 17 February 2016.
 - The development proposed is described as 'the conversion of the existing single dwelling into five apartments'.
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Decision

1. The appeal is dismissed

Main Issues

2. The main issues are: the effect of the proposal on the character and appearance of the area; whether the proposal would afford adequate living conditions for future occupants of apartment 3, with particular regard to outlook and natural light; and whether parking arrangements would be adequate.

Reasons

Character and appearance

3. The appeal property is a fairly substantial detached dwelling. It is located in a primarily residential area, although with some commercial uses in fairly close proximity, and on a fairly busy road. Most properties in the immediate area appear to be occupied as single dwellings.
4. The proposal would include the construction of a side and rear extension and the conversion of the property into five apartments. Although this would intensify the residential use of the site, increased comings and goings of occupants of five apartments would not, in the context of a relatively busy road with nearby commercial uses, have a harmful effect on the character of the area. The extensions themselves would be subordinate in size to the main property and would leave adequate space to the side boundaries.
5. I find in respect of the first main issue then that the proposal would not have a harmful effect on the character and appearance of the area. It would accord in this way with Policies G3, H18 of the Wycombe District Local Plan to 2011 (adopted January 2004 – as saved and extended September 2007 and replaced by the Adopted Core Strategy – July 2008 and Adopted Delivery and Site

Allocations Plan - July 2013) (LP). There would be no conflict either with Policy CS19 Wycombe Development Framework Adopted Core Strategy (July 2008) (CS). These together seek, amongst other things, high standards of design reflecting local distinctiveness, and residential development, including subdivision of dwellings, which is compatible with the character of adjoining housing.

Living conditions

6. The rear garden to the property is very steeply sloped and currently terraced. The appeal proposal would include an apartment located within the new single storey rear extension. This would be positioned at a significantly lower ground level than the majority of the garden and excavation works would be required to enable this to be constructed. Accordingly, the outlook from rear habitable rooms, including the only living area, would be significantly limited and natural light also substantially reduced.
7. Occupants of this apartment would not have the benefit of any living areas facing the more open aspect at the front, nor of any first floor accommodation where outlook would be improved by windows being above the raised level of the garden. On this basis, I consider that occupants of apartment 3 would have a gloomy and unpleasant living environment.
8. I conclude on the second main issue then that the proposal would not afford adequate living conditions for the occupants of apartment 3 with particular regard to outlook and natural light. It would conflict in this respect with Policy G8 of the LP which includes in its aims the safeguarding of the amenities of residents of the development proposed, including as regards daylight and sunlight and visual intrusion.

Parking

9. The proposed development would provide seven off street parking spaces, which the Council has indicated to be an adequate number taking into consideration the increased accommodation at the appeal property. Although not meeting the Buckinghamshire Countywide Parking Guidance (September 2015) as regards parking space size, the spaces proposed would not fall significantly short of this standard and would appear to represent a similar arrangement to other off street parking provision in the area.
10. I acknowledge that the presence of the steps to the house would make moving in and out of the nearest spaces slightly awkward and would require increased manoeuvring. I do not though consider that this would render these spaces unusable such that there would be a deficiency in the number of spaces provided. Similarly, whilst the additional off street parking proposed would render the movement of refuse bins somewhat difficult, this would remain possible even with all parking spaces filled and I do not find there to be any material harm in the arrangement as proposed.
11. I therefore find that the parking arrangements proposed would be adequate and there is no conflict in this way with Policy H18 of the LP nor with Policy CS19 of the CS which include in their aims seeking to ensure in residential development including the subdivision of existing dwellings, that adequate and convenient parking arrangements are provided, together with high standards of design and layout.

Other Matters

12. I have considered that the appeal is the result of two refusals and the considerable efforts of the appellant to take pre-application advice and negotiate a suitable scheme, along with the support received from the planning officer and highways department. I agree also that expressions of opinion regarding the loss of a family dwelling without evidence of planning harm are not relevant matters. I have taken into account also the sustainability credentials of the proposal and these offer modest weight in favour of the scheme.

Conclusion

13. Although there would be some modest benefits entailed in the proposal, and no harm would result as regards the character and appearance of the area or as to parking arrangements, this does not outweigh the development plan conflict and harm found related to the living conditions which would result to the occupants of apartment 3. Accordingly, for the reasons above, and taking into account all other matters raised, I conclude that the appeal should fail.

Veronica Bond
INSPECTOR