

Appeal Decision

Site visit made on 30 January 2017

by Jonathan Manning BSc (Hons) MA MRTPI

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

Decision date: 21 February 2017

Appeal Ref: APP/K0425/W/16/3162336
32 New Road, Marlow Bottom, SL7 3NG

- 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 & Mrs Kevin & Sarah Harper against the decision of Wycombe District Council.
 - The application Ref 16/07203/FUL, dated 10 August 2016, was refused by notice dated 17 October 2016.
 - The development proposed is demolition of existing dwelling and erection of two detached 3-bed dwellings, creation of new access and associated parking.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing dwelling and erection of two detached 3-bed dwellings, creation of new access and associated parking, at 32 New Road, Marlow Bottom, SL7 3NG, in accordance with the terms of application ref 16/07203/FUL, dated 10 August 2016, subject to the conditions in the attached schedule.

Procedural Matter

2. It has been brought to my attention by the appellant and interested parties that there are some discrepancies between the Floor Plans and the Elevation Drawings on submitted plans: NR PA 02 Rev A and NR PA 03 Rev A. To correct these, I have been provided with revised plans NR PA 02 Rev B and NR PA 03 Rev B by the appellant. I consider that these do not materially alter the appeal scheme and my acceptance of the revised plans would not prejudice any parties. As a result, I have therefore accepted the revised drawings and have determined the appeal on this basis.

Main Issue

3. The main issue of the appeal is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is located on New Road and currently accommodates a detached chalet style bungalow and detached garage/carport. The wider area is residential and accommodates dwellings with varied designs and appearances. The appeal site falls within the Chilterns Area of Outstanding Natural Beauty (AONB).
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5. The proposal would result in the removal of the existing dwelling and garage/carport and the construction of two 3 bedroom dwellings. This would result in the subdivision of the existing plot to provide each dwelling with its own curtilage. I accept the Council's view that this would result in narrower plots than those in close proximity to the appeal site, namely no 30, 34, 34A, 36 and 38 New Road. However, I observed on my site visit that there is a relatively wide range of plot widths in the area. From the Location and Block Plans provided with the application it can be seen that the appeal site has an unusually wide plot compared to its neighbours. Further, there are other plots, for example, Nos 20, 20a, 22, 28, 25, 25a, 27 and 34a that all have noticeably smaller plot widths than the appeal site. Whilst the subdivided plot widths of this scheme would be smaller than those examples given above, this would only be marginally and in my view, this would not be sufficient in itself to result in any harm to the character and appearance of the area, given such existing variation.
6. I acknowledge the Council's concern that the proposed dwellings would fill the majority of the site frontage with development. However, there would be a 2 metre gap between the two dwellings and a further one meter gap to their boundaries with the neighbouring properties. Any overhang of the eaves would also be minimal. Having regard to the existing pattern of development, it can be seen that many properties lie in close proximity to one another at comparable distances. There is also a very similar example in terms of development layout and form at Nos 20, 20a and 22 New Road, a very short distance from the appeal site. Whilst this is located past the junction with Juniper Road, I observed that it nonetheless falls within the same street scene as the appeal site. Nos 20, 20a and 22 are located a comparable distance from each other to the proposed dwellings. I observed that there is also some variation in the spacing of dwellings in the area. I consider that the spacing between the proposed dwellings and their neighbours, along with the resulting plot sizes, would not be contrary to the existing pattern of development.
7. The proposed dwellings would include relatively steep sloping pitched roofs that would help to create a sense of space between the dwellings. Whilst there would be dormer windows within the roofscapes, these would not be overly large and would be set well back from the front of the dwellings. In addition, the proposed dwellings would be set back from the road behind parking areas and would comply with the existing building line of their neighbours. For all of the reasons discussed above, the scheme would not, in my view, appear overdeveloped or cramped and would not appear overly dominant or incongruous in the street scene.
8. Given my findings above, I consider that the proposal would not result in any harm to the established character and appearance of the area or the special qualities of the AONB. This is having particular regard to the combination of the plot sizes and the quantum of development. The proposal therefore complies with: Policies G3 'General Design Policy' and G8 'Detailed Design Guidance and Local Amenity' and Appendix 1 of the Wycombe District Local Plan (2004) (the LP); Policy CS19 'Raising the Quality of Place-shaping and Design' of the Wycombe Core Strategy (2008) (the CS); and the Council's Housing Intensification Supplementary Planning Document.

Other matters

9. The proposed dwellings would not significantly project beyond the rear elevation of the existing dwelling that would be demolished. Further, where the proposed dwellings would project beyond the footprint of the existing dwelling, this would largely be at single-storey height and would be set away from the boundary with No 34. As a result, I am not of the view that the proposal would result in any material loss of sunlight or daylight to No 34 beyond that which is currently experienced from the existing dwelling on the appeal site. Further, due to the layout of the scheme and that obscure glazing can be secured through a planning condition, I consider that the proposal would not result in any loss of privacy to the occupants of neighbouring properties.
10. The proposed Site Plan shows that the front driveway areas could provide for three off-street parking spaces for each dwelling and I see no reason to doubt that this cannot be achieved. This provision would be in accordance with the Buckinghamshire Countywide Parking Guidance optimum standards. Consequently, I consider that there is unlikely to be any increase in on-street parking or harm to highway safety, as a result of the proposal. I am also mindful that the Highway Authority (Buckinghamshire County Council) has not raised any concerns.

Planning conditions

11. I have considered the Council's suggested conditions against the tests set out within the National Planning Policy Framework and the advice provided by the Government's Planning Practice Guidance and have amended them where required. As well as the standard time limit condition (1), a condition is necessary to ensure the development is undertaken in accordance with the approved plans (2), to secure certainty.
12. Conditions (3) – (6) are imposed to secure the suitable appearance of the scheme. The Council has suggested conditions that require details of external materials for the proposed dwellings and surfacing materials to be provided. However, I have combined these suggested conditions in the interest of brevity. Conditions (7) – (9) are necessary in the interests of highway safety. Conditions (10) and (11) are required to protect the living conditions of the occupants of neighbouring properties.
13. A number of the above imposed conditions relate to pre-commencement activities. In each case, I am satisfied that the requirement of the conditions are necessary to make the development acceptable in planning terms and it would have been otherwise necessary to refuse planning permission.

Conclusion

14. For the reasons set out above and having regard to all other matters raised, the appeal is allowed.

Jonathan Manning

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development shall be undertaken in accordance with the following approved plans: NR PA 04 Rev B (Location Plan and Block Plan); NR PA 01 Rev B (Site Plan); NR PA 02 Rev B (Proposed Floor Plans & Elevations Plot 1); and NR PA 03 Rev B (Proposed Floor Plans & Elevations Plot 2).
- 3) Notwithstanding any indication of materials which may have been given in the application details, a schedule and/or samples of the materials, finishes and surfacing materials for the development shall be submitted to and approved in writing by the local planning authority before any development takes place. The development shall be carried out in accordance with the approved details.
- 4) No development shall take place before a landscaping scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall include the retention of important trees and shrubs and the provision for; structural planting of a scale and size relative to the development to soften the appearance of the development and to provide a high quality environment. The development shall be implemented in accordance with the approved details.
- 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 3 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 similar size and species, unless the local planning authority first gives written consent to any variation.
- 6) Details of all screen and boundary walls, fences and any other means of enclosure shall be submitted to and approved in writing by the local planning authority before any development takes place. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented.
- 7) The development shall not be occupied until the new means of access has been sited and laid out in accordance with the approved drawing NR PA 01 Rev B (Site Plan) and constructed in accordance with Buckinghamshire County Council's guidance note "Private Vehicular Access Within Highway Limits" 2013.
- 8) The scheme for parking and manoeuvring indicated on the submitted plan NR PA 01 Rev B (Site Plan) shall be laid out prior to the initial occupation of the development hereby permitted and such areas shall not thereafter be used for any other purpose.

- 9) No wall, fence, hedge or other means of enclosure shall be provided along the site frontage that would exceed a height of 0.6 metres above the level of the centre line of the access for the total length of the site boundary with New Road.
- 10) Notwithstanding any other details shown on the plans hereby approved, the first floor side facing dormer windows and rooflights shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and be glazed in obscure glass. The window(s) shall thereafter be retained as such.
- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), no development falling within Classes A, C and E of Part 1 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.