
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/16/3161882

**Land between nos. 40 and 42 Wycombe Road, Princes Risborough,
Buckinghamshire, HP27 0EN**

- 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 Ms Jeannette Bilton against the decision of Wycombe District Council.
 - The application Ref 16/05565/FUL, dated 28 February 2016, was refused by notice dated 28 April 2016.
 - The development proposed is demolition of detached single garage/store & erection of 1 x 2 bed dwelling with ancillary turning & parking area and widening of existing dropped kerb & vehicle crossover.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of detached single garage/store & erection of 1 x 2 bed dwelling with ancillary turning & parking area and widening of existing dropped kerb & vehicle crossover at Land between nos. 40 and 42 Wycombe Road, Princes Risborough, Buckinghamshire, HP27 0EN, in accordance with the terms of application ref: 16/05565/FUL, dated 28 February 2016, subject to the conditions in the attached schedule.

Main Issues

2. The main issues of the appeal are the effect of the proposal on: the character and appearance of the area; highway safety, in terms of parking provision; and the living conditions of future occupants.

Reasons

Character and appearance

3. The appeal site is located on Wycombe Road and currently accommodates a garage/store and an area of hardstanding used in association with No 5 Station Road. The surrounding area is largely residential and I observed on my site visit that the area has a wide mix of dwellings types, layouts and architectural styles. The appeal site lies within an uncharacteristically large gap in the largely linear development along the western side of Wycombe Road between the neighbouring properties No 40 and No 42.
 4. The proposal seeks to demolish the existing garage/store and construct a two bedroom dwelling, with the first floor accommodation being located within the roofspace. Whilst the plot would be smaller than most in the area and the
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dwelling would be located close to its boundaries, there is a wide range of dwelling types and layouts in the area. Further, when viewed from the street scene, the dwelling would, in my view, be well spaced between the neighbouring properties in an unusually large gap in the frontage development on the western side of Wycombe Road. It would also be set at the same building line as its neighbours, which would reflect the existing linear pattern of development.

5. I acknowledge that the appeal site would not have a large curtilage and would not have any significant rear garden when compared to the majority of its neighbours. However, due to the tight nature of the existing linear development along Wycombe Road, which includes large rows of terraced dwellings, the rear gardens of the existing properties are in many places not evident from the street scene.
6. For all of these reasons, I am of the view that the proposal would not appear out of keeping with the existing grain of development and would not appear overly cramped. Further, I consider that the relatively modern architectural style of the dwelling would sit comfortably within its local context and I am mindful that the Council has not raised any concern in this regard.
7. In conclusion on this matter, for the reasons set out above, I consider that the proposal would not cause any harm to the character and appearance of the area. The scheme 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); Policies CS1 'Sustainable Design' and CS19 'Raising the Quality of Place-shaping and Design' of the Wycombe Core Strategy (2008) (the CS); and Policy DM1 'Presumption in Favour of Sustainable Development' of the Delivery and Site Allocations Plan (2013). I also consider that the proposal is in accordance with the Housing Intensification Supplementary Planning Document.

Highway safety

8. The appeal site falls on Wycombe Road and is classified as the A4010, one of Buckinghamshire's Strategic Inter Urban Roads. I observed that the road is very busy and I understand that it carries 12,000 to 13,000 vehicles per day. The proposal makes provision for one on-site parking space, as well as a turning area to allow vehicles to exit the site in a forward gear. A second parking space is also shown on the plans, however, this is located on the road. The Council are of the view that the proposed dwelling would have five habitable rooms and due to its location in 'Zone B' is required to provide for two on-site parking spaces, in accordance with Buckinghamshire County Council's (BCC) Countywide Parking Guidance. The appellant contests this view and considers that the proposed dwelling has four habitable rooms, as the ground floor is a kitchen/diner and should not be counted as two rooms.
9. The appellant has provided a more recent consultation response from BCC, as the Highway Authority, in relation to a revised application for a 1 bedroom dwelling on the appeal site. This suggests that BCC has now changed its view with regard to kitchen/diners counting as two habitable rooms. The consultation response from BCC to the revised application states: *'I've taken the position since the publication of the guidance that only substantially larger houses could have their kitchens and dining rooms treated as two individually habitable rooms since (particularly in smaller open plan dwellings) the latter is*

mainly used in conjunction with the former'. I fully agree with this view and I consider the kitchen/diner would be used as a single room, for preparing and eating food. I consider that it would be highly unlikely due to the size of the room that the diner would be partitioned off from the kitchen at a later date. On this basis, I consider that the proposed dwelling has four habitable rooms and therefore is required to provide one on-site parking space and it would meet this requirement.

10. For the avoidance of doubt, I agree with the Council that any increased on-street parking should be discouraged due to the very busy nature of the road and I note the appeal decision¹ provided for a proposed parking space close to the appeal site. However, in this case, I have found that the scheme would provide for sufficient on-site parking in accordance with the BCC Countywide Parking Guidance. Further, a turning area is provided to allow for the vehicle to leave the site in a forward gear and alterations to the existing crossover are proposed that would also improve access into and out of the site. Given all of this, I consider that the scheme would not result in any dangerous manoeuvring onto the local highway and would not result in any harm to highway safety. The proposal therefore complies with Policy T2 of the LP and Policy CS20 'Transport and Infrastructure' of the CS.

Living conditions

11. The Council's second reason for refusal states that the proposal would provide a poor amenity area for future occupants. However, I am mindful that the proposed dwelling would have two bedrooms and is therefore unlikely to be occupied by a large family. Whilst small, the amenity area would provide for a covered sitting area and a small area of garden that could be used for drying clothes etc. I am not aware of any amenity standards that the Council has set. Consequently, I consider that the proposal would not result in any harm to the living conditions of future occupants. Therefore, I consider that the scheme complies with Policy G8 'Detailed Design Guidance and Local Amenity' of the LP, which appears to be the policy of most relevance to this main issue.

Conditions

12. 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 to secure certainty (2).
13. Condition (3) is required to secure the suitable appearance of the proposal. Conditions (4) to (6) are imposed in the interests of highway safety. Condition (7) is necessary to ensure sustainable development.

Conclusion

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

Jonathan Manning

INSPECTOR

¹ APP/K0425/D/11/2148957, dated 16 May 2011.

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: 14/379/01 Rev E (Proposed Layout and Elevations) and 14/379/02 Rev A (Location & Existing Site Plan).
- 3) Notwithstanding any indication of materials which may have been provided in the application, a schedule and samples of all materials shall be submitted to and approved in writing by the local planning authority before any finished surfacing works are undertaken. The development shall be carried out in accordance with the approved details.
- 4) The scheme for parking and manoeuvring indicated on drawing 14/379/01 Rev E (Proposed Layout and Elevations) shall be laid out prior to the initial occupation of the development hereby permitted and such areas shall not be used for any other purpose.
- 5) No other part of the development shall begin until the new means of access has been altered in accordance with the approved drawing 14/379/01 Rev E (Proposed Layout and Elevations) and constructed in accordance with Buckinghamshire County Council's guidance note 'Private Vehicular Access within Highway Limits' (2013).
- 6) Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning General Permitted Development Order 2015 (or any Order revoking or re-enacting that Order) no gates shall be erected at the vehicular/pedestrian access point along the site frontage with Wycombe Road.
- 7) The development hereby permitted shall be designed and constructed to meet a water efficiency standard equivalent to 110 litres per head per day.