
Appeal Decision

Site visit made on 9 May 2017

by **C Thorby MRTPI IHBC**

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

Decision date: 1st June 2017

Appeal Ref: APP/K0425/W/17/3166471

1 Burnham Close, Bourne End, Buckinghamshire, SL8 5ST

- 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 Hamden Homes Ltd against the decision of Wycombe District Council.
 - The application Ref 16/07378/FUL, dated 30 August 2016, was refused by notice dated 17 November 2016.
 - The development proposed is demolition of garage to 1 Burnham Close and erection of linked pair of 2 chalet bungalows with new access drive and parking.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of garage to 1 Burnham Close and erection of linked pair of 2 chalet bungalows with new access drive and parking at 1 Burnham Close, Bourne End, Buckinghamshire, SL8 5ST in accordance with the terms of the application, Ref 16/07378/FUL, dated 30 August 2016 and the submitted plans, subject to the conditions set out in Appendix A.

Reasons

2. The main issues are the effect of the proposal on the character and appearance of the area and on the living conditions of the occupiers of Nos 1 and 2 Burnham Close.
3. *Character and appearance.* The site sits behind a main shopping street in a no-through road lined with a few bungalows. It is surrounded by different forms and types of development, including housing with small gardens and vehicular access points serving several properties. There is a mixed character with no clear pattern of residential development in the area. The siting of two new bungalows within the rear garden and its associated access would be part of the mixed character and it would not harm the character and appearance of Burnham Close or the wider area. The appeal scheme would accord with policy G3 and Appendix 1 of the Wycombe District Local Plan to 2011 (as saved, extended and partially replaced) (LP) and policy CS 19 of Wycombe Development Framework Core Strategy DPD July 2008 (CS) which seek, among other things, to protect character and appearance.
4. *Living conditions.* The proposed garden area would be reasonable for the host property and two new dwellings and there would be no first floor windows facing directly toward surrounding properties, minimising any possibility of

- overlooking. Fencing and boundary treatment (secured by condition) would prevent overlooking from the proposed ground floor openings.
5. There would be some impact from noise and disturbance to the adjacent property, No 2 Burnham Close; however, the section of the driveway closest to the house would be separated by the existing garage to this property and parking at the rear would be located on the opposite side boundary. Movements associated with two houses would generally be domestic in nature and would not be significant in number. No 1 Burnham Close is the host property and falls within the appeal site. Internal and external changes proposed to the property would minimise any adverse effect. Having regard to the likely low level of use and the domestic nature of the appeal scheme, the living conditions of the occupiers of Nos 1 and 2 Burnham Close would be satisfactory. The appeal scheme would accord with policy G8 and Appendix 1 of the LP and policy CS 19 of the CS which seek, among other things, to protect residents' living conditions.
 6. *Other matters.* The access point would serve three houses and would be shared with a neighbour. However, this is a quiet road with limited vehicular movement and there would be no risk to the safety of pedestrians or drivers.
 7. *Conditions.* Conditions relating to materials, landscaping, means of enclosure and levels, together with removal of permitted development rights to extend the property or enlarge the roof would be necessary to protect the character and appearance of the area and the living conditions of the existing and future occupiers. A condition requiring parking and access areas to be in place prior to occupation would be necessary in the interests of highway safety. Condition for water efficiency would be necessary to protect the environment. A condition specifying the plans would be necessary in the interests of proper planning. A condition restricting openings is not necessary as the ground floor openings would be screened and there is a pitch roof at first floor level.
 8. *Conclusion.* For the reasons given, the appeal is allowed.

Christine Thorby

INSPECTOR

Appendix A

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001-BC, 101-BC rev E, 102-BC rev B, 103-BC rev A.
- 3) Notwithstanding any indication of materials in the application, a schedule of materials shall be submitted to and approved in writing by the local planning authority before development takes place. Development shall be carried out in accordance with the approved details.

- 4) The parking and manoeuvring areas indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and shall not thereafter be used for any other purposes.
- 5) A fully detailed landscaped scheme for the site shall be submitted to and approved in writing by the local planning authority before development takes place. Any planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding season following occupation of the dwellings 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 completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of a similar size and species.
- 6) There shall be no build up or increase of the existing ground levels on the site.
- 7) Details of all screen and boundary walls, fences and other means of enclosure shall be submitted to and approved in writing by the local planning authority before any development takes place. The approved means of enclosure shall be implemented in accordance with the approved details prior to the initial occupation of the development hereby permitted.
- 8) Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development (England) Order 2015 (as amended)(or any Order revoking or enacting that Order), no development falling within classes A, B, C and E of part 1 of Schedule 2 shall be carried out.
- 9) The development hereby permitted shall be designed and constructed to meet a water efficiency standard of 105 litres per head per day.