



Appeal Decision

Site visit made on 27 June 2017

by **S J Papworth DipArch(Glos) RIBA**

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

Decision date: 19th July 2017

Appeal Ref: APP/K0425/W/17/3171614

Crownridge, Longwick Road, Longwick HP27 9RX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs P Saunders against the decision of Wycombe District Council.
 - The application Ref 16/06732/OUT, dated 18 June 2016, was refused by the Council by notice dated 15 September 2016.
 - The development proposed is erection of four detached two-storey dwellings together with access, parking and amenity space.
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Decision

1. I dismiss the appeal.

Main Issues

2. The application was in outline with layout and access detailed. The main issues are;
 - The effect of the proposal on the character and appearance of the Longwick Road area and the countryside between Longwick and Prince Risborough, including the effect on trees.
 - The effect of the proposal on the living conditions of present and future occupiers with particular regard to privacy.
 - Whether the occupants of the proposed development would have acceptable access to shops and services.
 - The planning balance.

Reasons

Policy

3. The Development Plan includes the saved policies of the Wycombe District Local Plan adopted in 2004, and the Core Strategy adopted in 2008.
4. Local Plan Policy G3 'General Design Policy' seeks a high standard of design and layout taking account of existing site characteristics. Policy G8 on 'Detailed Design Guidance and Local Amenity' requires the amenities of occupiers to be safeguarded. 'Landscaping' is the title of Policy G10 which requires proposals to take account of and retain existing planting and tree cover in accordance with Policy G11 which covers also Tree Preservation

Orders. Policy C9 on settlements beyond the Green Belt states that the expansion of Longwick will not be permitted beyond its defined settlement boundary unless in accordance with Policy H3 on housing allocations. Policy C10 'Development within the Countryside beyond the Green Belt' restricts residential development to affordable housing for local community needs and infilling within villages, hamlets and identified ribbons of development where there are no adverse effects upon the character of the area. 'Residents' amenity space and gardens' is the subject of Policy H19 which requires conveniently located, usable outdoor amenity space.

5. Core Strategy Policy CS2 provides for development in Longwick subject to provisions on size and effect, but elsewhere the emphasis is on protecting the rural character of the District. Development in the countryside is strictly controlled under Policy CS7. Policy CS19 seeks a high standard of design and Policy CS20 concerns transport and infrastructure.
6. The National Planning Policy Framework sets out Government policy which includes the three dimensions of sustainable development at paragraph 7. Paragraph 14 sets out the presumption in favour of sustainable development and the process to assess proposals where the Development Plan is out of date. Paragraph 56 states the great importance that is attached to the design of the built environment; good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Character and Appearance

7. The site is presently the extensive rear and side garden to the dwelling 'Crownridge', which abuts other development along Longwick Road to the west, and open countryside to the east and south, with open countryside on the far side of the road, to the north. It is clear also that the group of dwellings along Longwick Road is a distinct cluster with open land between them and Lower Icknield Way. The more substantial built-up area and settlement boundary starts at the petrol filling station on the far side of that road.
8. The side garden immediately abutting the open countryside to the east would be occupied by the access road, whilst the built form would be along a line similar to that of the existing dwelling. As such there would be no further encroachment into the open land to the east of the house within the curtilage, but there would be a visual erosion of the present openness seen from the main road approaching from the east as a line of buildings, tending to consolidate the appearance of the present more sporadic cluster of a ribbon along the road. That cluster has limited development in depth and the addition of the proposed dwellings would give the impression of a denser form of development than the present ribbon, signalling the start to a built up area.
9. That would appear out of place and intrusive in the countryside as a hard edge along a field boundary, including when seen from the footpath that crosses that field. The detrimental effect of this would be clear further to the west where there would remain a gap in the frontage development and a return to open countryside before Lower Icknield Way signals the real start to the settlement. The proposal would cause unacceptable harm to the character and appearance of the countryside.

10. This 'false start' would also harm the spatial qualities of the settlement, consolidating the effect of the present ribbon of development in this visually isolated position. The appellant considers the 'recognised' limit of Longwick to include the cluster, but that is not the experience of the site visit where the gap between Lower Icknield Way and the cluster is an important one visually and in terms of the settlement pattern. The proposed westward expansion of Princes Risborough may close the present large gap, but as a planned expansion, the effect would be controlled and the countryside gap would still be substantial.
11. There are protected trees on the site and the Council state that these would be lost. Whilst Policy G11 provides for replacement, such a course of action would need to be based on the site otherwise being suitable, since the loss of trees that have been protected for their publicly visible amenity value should be retained where possible. The layout shown appears however to allow limited areas for such replacement and those that are provided such as rear gardens to the four new plots would be on the further side of the buildings, reducing the opportunity for the replacements to take over the public role of those that would be lost. The amount of space left by the access drive may not provide for substantial replacement close enough to the public view.
12. The proposal would cause unwarranted harm to the countryside character and appearance and to the spatial qualities of the settlement, and would not accord with Policies G3, G10, G11, C9 and C10 of the Local Plan, or Policy CS19 of the Core Strategy. The development would not reach the standard sought in paragraph 56 of the Framework in its effect on both the countryside and the settlement.

Living Conditions

13. The Council is concerned over the effect on the privacy of the adjacent dwelling 'Conifers' from the dwelling and garden on Plot 4, and the effect on those prospective occupiers from the existing dwelling 'Crownridge'.
14. The layout is a detailed matter and this shows the dwelling on Plot 4 to be placed so that its rear wall would be facing the part of the garden of 'conifers' a little away from the rear of that dwelling. Between would be the depth of the garden to Plot 4 and a garage which could provide some screening of a direct view towards the rear of the adjoining dwelling depending on the design of its roof. 'Conifers' has a long garden and it would not be reasonable to expect the same degree of privacy along its entire length. In fact, the Council clearly follow that line by not objecting to Plots 1 to 3 which would overlook parts of the adjoining garden that are further away from the dwelling.
15. Whilst the main issue in respect of the character and appearance of the area has identified failings due to the layout and proximity of dwellings, there does not appear to be anything unusual or untoward about that proximity with regard to this issue. The proposal would introduce new residents to an adjoining garden that are not there at present, but having in mind the amount of space associated with 'conifers' the proximity and direction of view would not be harmful in planning terms.
16. Similarly, the existing house at 'Crownridge' would be set some way away from the side of Plot 4 with an intervening garage, which again could be designed as a screen. Landscaping, which is a reserved matter, could address this relationship further. There is reference to permission 14/06953/FUL having

been granted to extend 'Crownridge' but as suggested by the appellant, conditions could ensure that harm would not occur.

17. In conclusion on this issue, the layout of the proposal, with the ability to carry out the detailed design of the buildings and the landscaping as reserved matters, would not adversely affect privacy so as to be contrary to Policies G3, G8 and H19 of the Local Plan or Policy CS19 of the Core Strategy and would be capable of reaching the standard sought in paragraph 56 of the Framework in that respect.

Access to Shops and Services

18. As previously stated, the proposed development would be part of a cluster of dwellings that is itself set apart from Longwick by open land before the settlement boundary and the true visual start of the built-up area. There is a footway on the far side of the road that could be used to gain access to the village and the petrol filling station at the roundabout has a shop with a reasonable selection of day-to-day items. The shop in the main part of the settlement and other facilities are however more distant.
19. The Council refer to the findings of an Inspector in the 'Barn Lane, Longwick' appeal and the poor sustainability credentials of Longwick. It appears that Princes Risborough provides much of what residents need, but that the links to that larger settlement are poor. Contributions were proposed in the 'Barn Lane' case along with those from other acceptable development towards improving the links with Princes Risborough, but these have not yet gone ahead and the poor sustainability credentials of Longwick remain. The conclusion is that whilst some day-to-day essentials could be acquired on foot, the likelihood is that occupiers of the proposed development would resort to the private car from many journeys.
20. It is possible that the additional residents that the proposal would provide would assist in maintaining the viability of local services, but with the likelihood of car journeys in any event, that trade may go to Princes Risborough. The conclusion is that occupiers would not have ready access to a sufficient range of services and facilities to avoid the use of a private vehicle for many journeys. This would be contrary to one of the core planning principles in the Framework of actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling, and focusing significant development in locations which are or can be made sustainable. The siting of the development would not assist the aim of a low-carbon future contained in another of the principles.

Planning Balance

21. The Council accept that they are not able to identify a 5 year supply of housing, albeit that the shortfall has lowered with the supply stated as being only just below the requirement. Whilst the degree of shortfall is a material consideration, this does not affect the operation of paragraphs 49 and 14 of the Framework; the outcome from the policies for the supply of housing is that the objective of boosting the supply of housing set out in paragraph 47 has not been met.
22. The second bullet point in the decision-taking part of paragraph 14 applies, and, as relevant to this case, this states a presumption in favour of sustainable

development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

23. It is material that the proposal would provide only 4 dwellings, but in a local authority area where the shortfall in supply is small. It is material also that the character of the countryside is to be protected in both local and national policy, the former carrying the weight ascribed in section 38(6) of the 2004 Act. Whilst the operation of policies restricting development as such should be considered out-of-date, policies which seek to protect aspects of the qualities of the countryside and settlements, and those seeking good design and access to services, are fully in-line with, and are supported by the Framework.
24. The failings identified in the first main issue are seriously adverse in their effect, and the location of the site is not readily accessible to non-car transport modes. Whilst conditions and detailed design, including landscaping could address certain of the Council's concerns, there would remain substantial shortcomings in the arrangement of this number of dwellings on the site in this location. These adverse impacts significantly and demonstrably outweigh the benefits of the proposal in the supply of only four dwellings, when assessed against the policies in the Framework on design and the protection of the countryside and those Development Plan policies which are not out-of-date.
25. To conclude on the matter of sustainable development, the economic role of sustainable development from paragraph 7 of the Framework may be furthered by the additional residents in supporting local businesses, but with the likelihood of car journeys in any event, that trade may go to Princes Risborough. The land is not in the right place as previously reasoned. The social role similarly could be assisted by more people living in the area, and the provision of four houses in an area with less than a five year supply is a benefit. But, the proposal would not create the high quality built environment sought in that role. The environmental role would not be well-served at all, due to the visual harm and the adverse effect on the countryside and the visual qualities of the settlement. The proposal does not represent sustainable development and the proposal should not be permitted under the presumption in favour of such development.

Conclusions

26. The proposed development would cause unacceptable harm to the character and appearance of both the countryside which it abuts, and the spatial qualities of the settlement from which it is separate. It would consolidate a ribbon of development into a more substantial block of built-form. Whilst there is a small shortfall in the supply of housing, these failings significantly and demonstrably outweigh the benefits of the proposal. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR