

Appeal Decision

Site visit made on 17 July 2017

by Robert Parker BSc (Hons) Dip TP MRTPI

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

Decision date: 8 August 2017

Appeal Ref: APP/K0425/W/17/3173244

80 Daws Hill Lane, High Wycombe HP11 1PU

- 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 Jugdeesh Singh of Freshlead Ltd against the decision of Wycombe District Council.
 - The application Ref 16/08267/FUL, dated 30 November 2016, was refused by notice dated 9 February 2017.
 - The development proposed is demolition of existing house and development comprising seven apartments with associated external areas, cycle storage, bin storage, car parking and landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has submitted additional plans showing the installation of a privacy screen to the sides of the second floor rear terrace. The Council has confirmed that this would overcome its objection in respect of overlooking. The privacy screen could be secured using a planning condition in the event that I was minded to allow the appeal.

Main Issues

3. I consider that the main issues in this case are:
 - a) the effect of the proposal on the character and appearance of the area; and
 - b) the effect on the living conditions of adjoining occupiers, with particular reference to noise and disturbance.

Reasons

Character and appearance

4. The west side of Daws Hill Lane is lined by large detached houses of varying designs, set within spacious plots in an attractive verdant setting. The appeal site lies at the southern end, not far from the M40 motorway, where the properties are closer to the road. Directly opposite the site is the former RAF Daws Hill site which is in the process of being redeveloped for housing.
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5. The proposed apartment block would be comparable in width to the existing house on the site and its height would sit comfortably between the properties on either side. Although the flat part of the crown roof would be hidden from the street, the roof configuration – with pitched sections on all sides – would reveal the depth of the building as being considerably greater than that of other houses in the row. The excessive scale of the block would be particularly striking to the neighbours living on either side. Whilst I accept that the roof form would facilitate the use of photovoltaic solar panels this does not alter my view that the building's mass and bulk would be substantially out of character with both properties adjoining and others along this side of the street.
6. The Council has raised no objections to the design of the front elevation. Although well-articulated, this would nevertheless give the appearance of a flatted scheme. This impression would be further reinforced by the extent of hardstanding on the forecourt, the formal parking layout and the greater density of parked cars. This would be discordant in a street which is overwhelmingly characterised by single family houses with vehicles parked casually on their frontages. The removal of trees would open up the appeal site to public view, thus serving to emphasise the incongruous nature of the development. The proposed planting would be insufficient to mitigate the adverse impact.
7. It is argued that the local planning authority has failed to take account of the wider context when defining the character and appearance the area. My attention is drawn to the apartments being built within the housing scheme on the former RAF site. However, I concur with the Council that this area of comprehensive estate development has its own character, due in part to the separation distance and intervening vegetation. The established mature housing on the west side of Daws Hill Lane is read as a distinct character zone.
8. The appellant's evidence makes reference to the Little Oaks Care Home. However, this property is tucked away discreetly to the rear of the appeal site with a frontage onto Daws Lea. It has no material impact on the street scene of Daws Hill Lane and is not appreciated by the casual observer as being part of the site context.
9. Accordingly, I conclude that the proposal would be out of keeping with existing housing on the west side of Daws Hill Lane and the immediate surroundings of the site. For this reason it would cause material harm to the character and appearance of the area. The scheme would conflict with saved Policy G3 of the Wycombe District Local Plan to 2011 (WDLP) and Policy CS19 of the Wycombe Development Framework Core Strategy (2008) (CS). These policies are consistent with the National Planning Policy Framework (the Framework) in seeking high standards of design which respect local character and reinforce local distinctiveness.

Living conditions

10. The submitted Transport Statement predicts that the appeal scheme would generate around 4 two-way vehicle trips during the morning and evening peak hour periods¹, equivalent to one movement (either arrival or departure) every 15 minutes. TRICS data further indicates that between 0700 hours and 2200 hours the scheme would generate approximately 30 movements. This is considerably greater than might be expected for the existing dwelling on the site.

¹ 0800-0900 and 1700-1800

11. The additional slamming of car doors and revving of engines would be noticeable for neighbouring residents. However, there is nothing to persuade me that this would result in an unacceptable level of noise or disturbance and the Council does not challenge the findings of the submitted Acoustic Report.
12. Notwithstanding the above, the increased numbers of comings and goings to the site would draw attention to the flatted use as being out of character in this row of single family dwellings. This would not be sufficient reason on its own to dismiss the appeal, but it lends some weight to my findings on the first issue in relation to the effect on the character of the area.
13. I conclude that there would be no demonstrable harm to the living conditions of adjoining occupiers and no conflict with Policy G8 of the WDLP and Policy CS19 of the CS, insofar as they seek to safeguard the amenity of neighbouring residents.

Other Matters

14. Residents have raised a number of other concerns, including in relation to the adequacy of parking provision, the effect on highway safety, water and drainage issues and noise from the communal garden area. However, based on the information before me and my observations whilst on site, these matters would not constitute reasons to dismiss the appeal.
15. Concerns regarding the works already carried out to a front boundary hedge and the surface treatment being proposed for the shared access with 82 Daws Hill Lane are private matters. As such, they have carried very limited weight in my assessment.

Planning Balance

16. The Council accepts that it is unable to demonstrate a five-year supply of deliverable housing sites. The latest assessment of supply is 4.9 years. Paragraph 49 of the Framework states that in such circumstances relevant policies for the supply of housing should not be considered up-to-date. Paragraph 14 of the Framework states that where relevant policies are out-of-date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.
17. The site constitutes previously developed land within the built-up area and lies on a regular bus route to High Wycombe town centre and railway station. Furthermore, the proposal would make efficient use of land to deliver additional housing which would help to address the shortfall identified by the Council. The construction phase would also support employment in the building industry. The scheme therefore scores well against a number of sustainability criteria.
18. However, the presumption in favour of sustainable development seeks to achieve economic, social and environmental gains and positive improvements to the quality of the built and natural environment. The Framework makes clear that these gains should be sought jointly and simultaneously through the planning system. In my judgement, the harm identified to the character and appearance of the area brings the scheme into conflict with the environmental dimension of sustainable development and would significantly and demonstrably outweigh the benefits set out above, even having regard to the

Council's housing supply position and Government policy to boost significantly the supply of housing.

Conclusion

19. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR