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## Appeal Decision

Site visit made on 31 October 2017

**by D J Barnes MBA BSc(Hons) DipTP MRTPI**

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

**Decision date: 15 November 2017**

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**Appeal Ref: APP/K0425/D/17/3181961**

**16 Bay Tree Close, Loudwater HP11 1JN**

- 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 Mark Nunn against the decision of Wycombe District Council.
  - The application Ref 17/05406/FUL, dated 16 February 2017, was refused by notice dated 31 May 2017.
  - The development proposed is the erection of a bin store to the front of the property.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the streetscene.

### Reasons

3. The proposed development is a timber means of enclosure which would surround 3 wheelie bins sited adjacent to the boundary between the appeal property's front garden and the back edge of the footway along Bay Tree Close. It was observed during the site visit that where other bins were stored within the front garden they were adjacent to the host dwelling and were not enclosed. The locations of these other bins reflects the Council's *Waste Management Planning Advice Note* concerning refuse and recycling bins not causing harm to visual amenity.
4. The property is located within a primarily residential area of 2-storey and single storey dwellings. Along Bay Tree Close, the dwellings are generally set back from the footways to the rear of front gardens which are landscaped and used for off-street parking. Although there are exceptions which the appellant has identified, the front gardens are generally open and unenclosed by solid boundary features. This is particularly the case along both sides of the road looking southwards from Nos. 4 and 19 where the streetscene has an open character and appearance.
5. Along this part of the road there are examples of post and rail fencing between the front gardens of Nos 8, 9, 10 and 11 but these do not detract from the generally open character and appearance of the streetscene. Similarly, the low retaining walls between some properties, the hardstanding, parking spaces and the handrail at No. 12 maintain the open appearance of the streetscene. The appellant has also identified that there are covers for motorcycles located on

the drive of No. 8. However, as with the siting of other bins, these covers are adjacent to their host garage and do not alter the contribution of the front garden to the open appearance of the streetscene.

6. The property is located within that part of the streetscene with an open character and appearance. The 3 refuse bins currently do not make a positive contribution to this streetscene. Their enclosure by a wooden structure would, even if it was lightweight, result in a solid box like structure which would be materially more harmful to the open character and appearance of the streetscene when compared to the existing bins. By reason of siting and form, the appeal scheme would be an incongruous and visually prominent addition to the streetscene that would fail to respect its immediate context.
7. As noted by the appellant, there are examples of close boarded and panel timber fences (Nos. 19 to 24) but their detailed planning circumstances have not been provided and they are now exempt from enforcement action. Further, these fences are clustered by a junction and bend in the road where there are other solid boundary treatments, including a wall to the side garden of No. 3. These boundary fences do detract from the character and appearance of the streetscene in this location but they are not part of the more open streetscene within which the appeal property is located. For these reasons, only limited weight is given to these fences in the determination of this appeal.
8. Accordingly, it is concluded that the proposed development would cause significant harm to the character and appearance of the streetscene and, as such, it would conflict with Policy CS19 of the Wycombe Development Framework Core Strategy and Policies G3 and H17 of the Wycombe District Local Plan to 2011. Amongst other matters these policies require development to be of a high standard of design which respects local urban context, be compatible with the immediate surrounding area and reinforce local distinctive quality by enhancing built characteristics. These policies are consistent with the National Planning Policy Framework's core principle of securing high quality design.

#### *Other Matters*

9. The appellant's commentary concerning the views expressed by the Planning Officers has been carefully noted. However, such views can only be advisory. How the appeal application was considered by Members at the relevant Committee meeting is not a matter for me to determine. This appeal has, therefore, been determined based upon the Council's reason for refusing the proposed development.
10. The Council has raised concerns that if this appeal was successful it would then establish an unwelcome precedent. This appeal has, however, been assessed on its own planning circumstances. Accordingly, and taking into account all other matters, it is concluded that this appeal should fail.

*D J Barnes*

INSPECTOR