
Appeal Decision

Site visit made on 27 November 2017

by Robert Fallon B.Sc. (Hons) PGDipTP MRTPI

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

Decision date: 14th December 2017

Appeal Ref: APP/K0425/W/17/3180749
40 Plumer Road, High Wycombe, HP11 2SS

- 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 Ghulam Hussain against the decision of Wycombe District Council.
 - The application Ref 17/05600/FUL, dated 28 February 2017, was refused by notice dated 3 May 2017.
 - The development proposed on the decision notice is described as "Construction of part two storey, part lower ground floor rear extension, construction of hip to gable end roof extension, 1 x rear dormer window and associated external and internal alterations in connection with conversion of existing dwelling into 1 x 3 bed dwelling and 1 x 1 bed flat (part retrospective)".
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Decision

1. The appeal is dismissed.

Procedural matters

2. The development description on the application form does not correspond with the decision notice or appeal forms and also does not refer to the full extent of proposed works. I have as a consequence used the description shown on the decision notice and am satisfied that this has not prejudiced the interests of any party.
3. The Council states that the plans were amended during the formal application. For the avoidance of doubt and in view of the fact that there does not appear to be any dispute between the Council and appellant on this matter, I have proceeded on the basis that the plans under consideration in this appeal are Drawing Nos 1181/1, 1181/2A, 1181/3A, 1181/4B and 1181/5.
4. At the time of my site inspection, the exterior envelope of the development was substantially complete, but the internal works and external landscaping were unfinished and work was still in progress. For the avoidance of doubt, and irrespective of the construction that has taken place, I have treated the appeal as one for planning permission for the development as shown on the submitted plans.
5. My determination of this appeal is against the policies of the Local Plan¹ and Core Strategy². Although the Council's application report also makes reference

¹ Wycombe District Local Plan to 2011, Adopted January 2004 (As Saved and Extended September 2007); and replaced by the Adopted Core Strategy July 2008 and the Adopted Delivery and Site Allocations Plan July 2013

² Adopted Core Strategy, Wycombe Development Framework, July 2008

to the 'Draft New Wycombe District Local Plan June 2016' (the emerging Local Plan), this document has not yet been subject to an examination and is not referred to in the reason for refusal. I have as a consequence given it limited weight in my assessment.

Main issue

6. Within the context of the Council's reason for refusal and the evidence in this case, the main issue is highway and pedestrian safety, with specific regard to whether the scheme makes adequate provision for off-road parking and safe manoeuvrability into and out of the proposed off-road parking spaces.

Reasons

Appeal site context

7. Plumer Road is characterised by mature semi-detached properties, most of which have off-road parking in their front gardens. The extent of corresponding dropped kerbs cumulatively restricts the amount of space available on the highway for on-street parking. The road is subject to waiting restrictions that requires resident permits between the hours of 09:00 to 16:00 Monday to Friday. Outside of these periods, unrestricted parking can take place subject to it otherwise being legally appropriate.
8. The appeal site is located on the northern side of Plumer Road, approximately 15 metres south-east of a traffic calming chicane. The highway rises at both ends of the road and is subject to a 30mph speed limit. There is a public footway on both sides of the road measuring approximately 2 metres wide.

Highway and pedestrian safety

9. The submitted plans illustrate that the proposal would have 2 off-road parking spaces (Drawing No 1181/1). The Council states that the proposal would as a consequence fail to provide sufficient off-road parking in accordance with the standards outlined in the County Parking Guidance³, which specifies a requirement of 4 off-road car-parking spaces. This is based on 3 car spaces for the main dwelling as it has 8 habitable rooms and 1 space for the separate flat which has 2 habitable rooms.
10. The County Parking Guidance document states that it was developed having regard to the Framework⁴, National Planning Practice Guidance, other best practice guidance, the 2011 Buckinghamshire County Council Local Transport Plan 3 and consultation with the relevant district councils. However, given that it was not subject to public consultation and is not a Supplementary Planning Document, I have given it modest weight as a material planning consideration.
11. The Local Highway Authority (LHA) states that there is little space for on-road parking in the highway given the extent of dropped kerbs on the road, and that the proposed front garden parking layout could only accommodate 2 cars, which would lead to additional on-road parking congestion in the area to the detriment of highway and pedestrian safety. It has also supplied photographic evidence demonstrating the level of on-road parking congestion at peak periods outside of the controlled parking hours, together with accident data for Plumer Road, which includes a record of one serious incident relating to a

³ Buckinghamshire Countywide Parking Guidance, September 2015, Buckinghamshire County Council

⁴ National Planning Policy Framework, Communities and Local Government, March 2012

- pedestrian stepping into the road between parked vehicles whilst carrying a child. I have given this evidence significant weight in my assessment.
12. At my site visit, I observed a significant number of cars parked on the highway during controlled parking hours, and that the extent of on-road parking that could take place was substantially restricted by the number of crossovers providing access to off-road parking facilities in the front gardens of dwellings. As a consequence of this, and the photographic evidence provided by the LHA, I am satisfied that the demand for on-road parking outside of the controlled parking hours would be substantial.
 13. In view of the considerable size of the proposed dwelling and the presence of additional accommodation in the separate flat, I would not deem the provision of 2 off-road parking spaces to be sufficient to meet the needs of future occupiers. The development would as a consequence result in additional parking pressure being placed on the existing road, where demand outside of controlled parking hours is already substantial. The presence of additional vehicles in an already congested road space would harm the safety of pedestrians attempting to cross the road between parked cars and restrict visibility for drivers reversing out onto the carriageway from their front gardens, to the detriment of highway safety.
 14. Given the substantial amount of accommodation proposed, even if the off-road parking area contained 3 spaces, I would not consider this to be sufficient to address the needs of the proposal. In any case, the width of the front garden would restrict the space available between vehicles, which would make driver access more difficult and could discourage their use. However, even if this were not the case, the restricted space would make manoeuvring into and out of the car-spaces more difficult and reduce the amount of visibility when reversing, which would lead to unsafe conditions for pedestrians using the footway and oncoming vehicles.
 15. Although the Council's reason for refusal also refers to harm to highway and pedestrian safety from vehicles reversing out onto the road or into the off-road parking spaces, I am satisfied that if the number of vehicles parked on the driveway was restricted to 2, that sufficient visibility would remain for this to occur safely given the additional space between parked vehicles.
 16. In view of the above, I have concluded that the development would be harmful to highway and pedestrian safety. The proposal would therefore conflict with Policy CS20 of the Core Strategy which seeks to ensure, amongst other things, that development provides appropriate and effective parking provision. The development would also be contrary to the standards set out in the County Parking Guidance, which I have given modest weight to in my assessment.

Other matters

17. The appellant has drawn my attention to a number of other applications at the appeal site and elsewhere, but these are not directly comparable to current proposal in terms of character or intensity of use. I am also not aware of the particular circumstances where planning permission was granted for these and in any event, I must consider the appeal scheme on its own merits. The existence of these other schemes does not therefore justify the harm I have identified.

Planning balance

18. While I am sympathetic to the personal circumstances of the appellant as detailed in their appeal statement, I have concluded that there is insufficient evidence to demonstrate that their needs can only be met via the current scheme. I have as a consequence given the appellant's personal circumstances modest weight in my assessment and concluded that these would not outweigh the identified harm to highway and pedestrian safety and the scheme's conflict with the development plan and County Parking Guidance.

Conclusion

19. I have found that the appeal proposal would be harmful to highway and pedestrian safety. All representations have been taken into account, but no matters, including the personal circumstances of the appellant and the scope of possible planning conditions, have been found to outweigh the identified harm and policy conflict. For the reasons above, the appeal should be dismissed.

Robert Fallon

INSPECTOR