
Appeal Decision

Site visit made on 11 December 2017

by J Ayres BA Hons, Solicitor

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

Decision date: 12th January 2018

Appeal Ref: APP/K0425/W/17/3180894
42 Beeching Stoke, Marlow SL7 1JH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr W Reynolds and Miss F Richards against Wycombe District Council.
 - The application Ref 17/05898/FUL, is dated 1 April 2017.
 - The development proposed is the construction of 2 new residential flats.
-

Decision

1. The appeal is dismissed and planning permission is refused.

Main Issues

2. The main issues are the effect of the proposal on
 - The character and appearance of the area;
 - Highway safety; and
 - The living conditions of future and neighbouring occupiers with particular regard to amenity space, and whether or not the proposal would be overbearing to the occupants of Nos 1 – 6 Eastwood Court.

Reasons

Character and appearance

3. No 42 Beeching Stoke is an end of terrace residential property. The level of residential development in the area is relatively dense, formed of a number of small terraces and some blocks of flats, along with garages. The garden of No 42 is relatively generous in size compared to others nearby and wraps around the side and rear of the property, separating the terrace from Nos 1 – 6 Eastwood Court and the garages, both of which sit at an elevated position. It enhances the sense of space at this point, and this noticeable break in the built form makes a positive contribution to the character of the area.
4. The proposal would be built to the side of No 42, and would extend the existing terrace some five metres or so. This would significantly erode the respite in built form that the appeal site currently provides. The change in land levels would exacerbate the situation, giving the appearance of hemming in the proposal. It would result in a cramped and incongruous form of development,

which would be harmful to the existing spacious quality of the layout and would detract from the character and appearance of the area.

5. Consequently, I find that the proposal would conflict with policies G3, G8, H19 and Appendix 1 of the Wycombe District Local Plan to 2011 (the Local Plan) in so far as those policies seek to ensure that development is appropriate with regards to factors such as land levels, scale, bulk, form and massing. The proposal would conflict with policy CS19 of the Wycombe Development Framework Core Strategy Development Plan Document 2008 (the Core Strategy) with regards to achieving high standards of design and layout.

Highway safety

6. A number of the properties in Beeching Stoke benefit from off-street parking, with some having a garage in the block to the north of the appeal site. However it would appear that a number of properties have displaced parking, and are reliant upon on-street parking. Although No 42 benefits from a garage, I am not convinced by the appellant's assertion that Beeching Stoke would provide an appropriate level of parking for those occupying the proposal.
7. Taking into account the number of surrounding residential properties, there appears to be a high demand for on-street parking, and the Highways Officer refers to it being at capacity. I am minded to agree with the assessment of the Highway Officer that in fact the existing situation and available capacity upon the local highway network must be taken into account, and that it should be demonstrated that there is suitable on-street parking capacity for those developments that do not provide sufficient parking provision within their own site curtilage. Having carefully considered all of the evidence it is my view that the appellant has not done this, a number of spaces that the appellant relies upon as part of the on-street capacity appear to be deemed unsafe, or impractical.
8. The site is within walking distance of Marlow and public transport. These factors weigh in favour of the proposal. However, although that would place less reliance upon the use of private vehicle to access services and facilities, it does not mean that future occupants would choose to not have a private vehicle, and Policy CP20 is applicable to the proposal.
9. In this regard the appellant has failed to demonstrate that there is suitable on-street parking to serve the proposal. Consequently, I find that the proposal conflicts with policy CS20 of the Core Strategy in respect of providing an appropriate and effective parking provision.

Living conditions

10. At present there is a distance of some 16 metres between No 42 and the flats at 1 – 6 Eastwood Court. The proposal would reduce this distance by some five metres. The proposal would be set lower than the flats, and the only window that would be in the elevation facing the flats would be a bathroom window. In order to avoid any issues regarding overlooking it would be possible to secure that the window would be obscure glazed by way of condition.
11. Due to the change in levels, and the currently generous open space to the side of Nos 1 – 6, I do not consider that the proposal would have an overbearing impact on the occupiers of the flats.

12. The amenity space currently provided for No 42 would be significantly diminished by the proposal, with No 42 having a resultant space of some 30sqm. The appellant has referred to a development permitted at 84 Station Road as a comparable scheme to the appeal site in this regard. I have not been provided with details of this scheme, although I note that the appellant's statement of case affirms that the Council found that development to be 'only just acceptable', and it related to a marginally larger amenity area. It may be the case that No 42 has a more generous area to the front than the scheme allowed at 84 Station Road. However, any residential paraphernalia is likely to be stored, and used, to the rear where it is more secure. The rear garden should therefore be of an adequate size to accommodate the needs of the occupants of the property.
13. The significant reduction in size, which would be comparable to that provided for the ground floor bedsit proposed, would not, in my view, provide an adequate amenity space for the occupiers of No 42, which is a substantially larger dwelling.
14. Accordingly, I find that the proposal would comply with policy G8 of the Local Plan and policy CS19 of the Core Strategy in respect of its effect on the living conditions of those occupiers at No 1 – 6 Eastwood Court. However, I find that the proposal would fail to provide an adequate level of useable outdoor amenity space for those occupiers of No 42. As such it would conflict with policies G8, H19 and Appendix 1 of the Local Plan with regards to safeguarding the amenity of residents. It would also conflict with Policy CS19 in respect of ensuring high standards of design.

Other Matters

15. On the basis of the evidence before me it would appear that the Council has confirmed that issues relating to a SuDs scheme have been resolved.

Conclusion

16. I have found that the proposal would not have an overbearing impact on the occupiers of No 1- 6 Eastwood Court. However, I have found that the proposal would result in harm to the character of the area, would fail to ensure highway safety, and would result in an inadequate level of amenity for the occupiers of No 42 Beeching Stoke.
17. Accordingly, for the reasons set out above, and taking into account all other matters raised, I conclude that the appeal should fail and planning permission is refused.

J Ayres

INSPECTOR