
Appeal Decision

Site visit made on 30 July 2019

by K Stephens BSc (Hons), MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2019

Appeal Ref: APP/K0425/W/18/3202640

Land rear of 48 Amersham Hill Drive, High Wycombe HP13 6QY

- 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 RAP Building & Developments Ltd against the decision of Wycombe District Council.
 - The application Ref 17/07124/FUL, dated 4 July 2017, was refused by notice dated 29 March 2018.
 - The development proposed is erection of a detached two-storey dwelling with associated works.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The appeal was determined under the original National Planning Policy Framework (the 'Framework') that was published in March 2012 and the appellants refers to its various paragraphs in his Statement. However, the Framework was revised in July 2018 and subsequently updated on 19 February 2019. The Council's Statement makes reference to the 2018 revisions, which the appellants would have seen and been aware of, but who made no Final Comments. As the changes between the 2018 revision and 2019 updates are minor and do not fundamentally affect the issues pertaining to this appeal, it is not necessary to revert to the parties for further comment. I have considered the appeal on the basis of the current Framework.

Background

3. The site has been subject to a number of applications and dismissed appeals over the years for residential development of various formats, the most recent and relevant of which are set out below.
4. Planning application 09/0508/FUL¹ for the creation of a new access road leading to three new detached units of accommodation. The appeal was dismissed due to the gradient of the access road and noise and disturbance from vehicles using it that would affect living conditions of occupiers of Nos.48 and 50 Amersham Hill Drive.

¹ Appeal ref: APP/K0425/A/09/2109737 dated 26 November 2009

5. Planning application 09/07385/FUL² for the creation of new access road leading to two new detached houses. The dwellings had integral garages. It was dismissed for reasons relating to traffic movements for the two dwellings that would be detrimental to living conditions of occupiers of Nos.48 and 50 Amersham Hill Drive; and the access drive, by reason of its length, steepness and configuration would fail to result in safe manoeuvring of vehicles for future occupiers.
6. Planning application 11/07144/FUL³ for the creation of 2 x 4 bed detached dwellings with attached garages, associated bin stores and creation of new access from Amersham Hill Drive. It was dismissed because the access driveway and provisions of refuse and recycling storage would not result in a safe and practicable layout for future occupants.
7. Since the last appeal a driveway has been constructed to the side of No.48 Amersham Hill Drive, a detached garage building erected to the rear, alterations made to reduce the gradient of the driveway, and the number of proposed dwellings now reduced to one.

Main Issue

8. The main issue is whether or not the proposal would result in a safe and practicable layout for existing and future occupiers, with particular regard to the proposed arrangements for the access driveway and provisions for refuse and recycling.

Reasons

9. The site is an overgrown vacant parcel of land surrounded by houses in a predominantly residential area. It is located to, and accessed from, the rear of 48 Amersham Hill Drive (No.48), itself a detached dwelling. Due to the topography of the area, the site is sloping. The site is well screened with trees and hedging.
10. The proposal is for the erection of a detached 4-bed dwelling. Access to the site would be via the existing steep tarmac, mainly single width, driveway that serves No.48 and which leads past the side of it to a newly built detached double garage at the bottom, currently used by occupiers of No.48. Beyond this is the site itself.
11. According to the Council the length of the existing driveway is approximately 46m from the road at a gradient of approximately 1 in 5. I noticed other steep driveways along Amersham Hill Drive, but none I saw extended beyond the depth of the house and to the length and extent the driveway to the appeal site does. Current occupiers of No.48 have use of the detached garage, which the appellants says proves the driveway is not too steep, but they can also choose to park their vehicles in front of the house at the top of the driveway, which I saw was the case on my visit, as well as a van parked by the garage. Any shallowing of the gradient to the driveway that had been made was not apparent to me as it felt uncomfortably steep walking down and I had to take care not to slip. In certain conditions, such as autumn leaves and ice and snow, or inclement weather, the length and gradient of the driveway would make

² Appeal ref: APP/K0425/A/10/2130636 dated 22 November 2010

³ Appeal ref: APP/K0425/A/12/2176913 dated 25 February 2013

walking for future occupiers and their visitors potentially hazardous and also difficult for vehicles. In such conditions it would be likely that future occupiers would park their vehicles on Amersham Hill Drive. This is something a previous Inspector witnessed when re-visiting in ice and snow for the last appeal, and before the extended driveway was constructed. The appellants refer to the steep driveway being no different to using steep public pavements in High Wycombe. The scenario is not directly comparable. Pedestrians in the public realm have more choice of routes and frequency of usage and other modes of transport than future occupiers would have, as this would be the only means of access to their house.

12. Whilst grit or salt boxes could be installed at the top of the driveway and mid-way, and more grippy surface materials could be used and controlled by condition, I am not satisfied this would overcome the hazards and caution required when walking or driving, particularly in bad weather. I therefore find the steep driveway, exacerbated by its length, would make day-to-day access difficult and potentially hazardous.
13. Occupiers of the new dwelling would have use of the existing detached garage at the bottom of the driveway, as parking for No.48 would be at the top of the drive on the tarmac area in the front of the house. The proposed site plan shows a 'widening' of the access drive by this area at the top of the drive to allow vehicles to pass at the entrance and for occupiers of No.48 to manoeuvre their vehicles. However, this area is confined and relies on occupiers of No.48 and their visitors parking their vehicles in a considerate manner so as not to encroach on the driveway and impede passage for occupiers of the new dwelling.
14. The area would be further reduced by the provision of a refuse/recycling bin storage area close to the top of the drive and the entrance/egress onto Amersham Hill Drive. An intermediate bin store would be sited part way up the driveway. These locations and arrangements are the same as those for the previous appeal, albeit now with a reduction in vehicle movements from a single proposed dwelling instead of the previous two. In the absence of evidence that private refuse collection companies have been approached, I am not persuaded that a private company would drive down to the bottom of the drive by the proposed dwelling and empty the bins. Furthermore, I am not persuaded that the reduction in vehicle movements would make any significant improvement to this arrangement.
15. Vehicles leaving the garage at the bottom would be able to see up the driveway to the road. But they would not see any vehicles about to manoeuvre across the driveway in front of No.48 until they were almost level with the house and would have to stop. Whilst one proposed dwelling would reduce the number of overall vehicle movements using the driveway and access/egress onto Amersham Hill Drive, I am not persuaded that there is adequate space for parking and manoeuvring for No.48 as well as the comings and goings of occupiers of the proposed dwelling and their visitors and any delivery vehicles, as well as the bin store, to create a safe layout without causing potential conflict with pedestrians and vehicles. The appellants' proposed path alongside the driveway would not address these concerns at the top of the drive.
16. In addition to negotiating the driveway, future occupiers and visitors would need to get from the garage and driveway to the house itself, some 13m

distance. This would involve negotiating a flight of steps and path downhill to the front door. This would be made more difficult when carrying bags and luggage. It would also make transporting refuse and recycling unduly burdensome and impracticable on a day-to-day basis, even to take it to the car for depositing in either the intermediate or top bin store as one drove past.

17. I find that the siting of the dwelling on the sloping site, necessitating steps and access ramp, together with the long steep driveway, the refuse/recycling bin arrangements even with use of a car, and the constrained parking and manoeuvring space for the occupiers of the existing dwelling No.48 (due in part to the location of the bin store) would not result in a practicable or safe layout for existing and future occupiers and would not provide a good standard of design, which the National Planning Policy Framework seeks achieve. Accordingly, the proposal would be contrary to Policies G3 and G8 of the adopted Wycombe District Local Plan and Policy CS19 of the adopted Wycombe Core Strategy (2008). Collectively these seek to ensure, amongst other things, that development is of an inherently good design and layout, and provides a safe environment. It would also be in conflict with the Housing Intensifications Supplementary Planning Document and the Residential Design Guidance.

Other matters

18. The appeal scheme would result in a very modest uplift in housing numbers with the provision of a single dwelling. But this would be of limited benefit, particularly when the Council is currently able to demonstrate it has a 5 years housing land supply, and would not outweigh the harm identified.
19. A number of residents raise a series of other concerns about the proposal but in view of my conclusions on the main issue there is no need for me to address these in the current decision.

Conclusion

20. The proposed development would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal should be dismissed.

K Stephens
INSPECTOR