
Appeal Decision

Site visit made on 10 March 2020

by Jonathon Parsons MSc BSc(Hons) DipTP Cert (Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th March 2020

Appeal Ref: APP/K0425/W/19/3243630

Land adjoining 5 Old Farm Road, Downley HP13 5LP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr C Clinton (Putnam Properties Ltd) against the decision of Wycombe District Council.
 - The application Ref 18/06166/OUT, dated 2 May 2018, was refused by notice dated 18 July 2019.
 - The development proposed is "an outline application for two semi-detached dwellings (including details of access and layout) with some matters reserved on land adjoining 5 Old Farm Road."
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is for outline planning permission with access and layout to be determined at this stage, and all other matters reserved for future consideration. There is a streetscene elevation of the proposed dwellings but this has been treated as indicative only.

Main Issues

3. The main issues are the effect of the proposal on (a) the character and appearance of the area and (b) the living conditions of the occupiers of neighbouring properties, having regard to privacy.

Reasons

Character and appearance

4. The appeal site comprises a rectangular shaped plot which currently forms part of the private garden of 5 Old Farm Road and is surrounded by residential development. Old Farm Road comprises mainly short terraces of two storey houses dating back from the 1960s. Its cul-de-sac layout, with rows of dwellings facing onto road, a hammerhead shaped turning area, landscaped areas and garaging sited behind dwellings, is distinctive and attractive.
5. The Council's Residential Design Guidance Supplementary Planning Document (SPD) 2017 provides guidance on identifying the character of areas. For a development of the scale proposed, the street in which it is situated provides the immediate context and it further provides a checklist of character traits seen at street level, which includes plots, building arrangements, gaps and

setbacks, footprint, parking arrangements, trees, landscaping and street width to building height ratio.

6. The proposed dwellings would be sited behind and away from the frontage dwellings and as such, they would appear as a backland type development. Such a position would appear isolated and incongruous given the arrangement of streets and spaces in the area. Access to the dwellings would be via a private drive to the side of two dwellings at 5 and 6 Old Farm Road, whose frontages are perpendicular to one another, and past a row of garages. Although the vehicular access is existing, its further use for two dwellings would further emphasise its tightness alongside and in front of the extended dwelling at No 5.
7. Although not shown, the front gardens would be likely to be short and limited because of the extent of required hard surfaced access and turning facilities for vehicles and pedestrians, even if shared user surfacing was incorporated. Such an arrangement would appear cramped and would be out of keeping with the reasonably sized front gardens of the terraces in the area. Furthermore, such dominant hard surfaced frontages would not create an attractive, welcoming and distinctive place to live, work and visit.
8. An analysis of the existing site plot and building sizes for buildings located on Old Farm Road has been undertaken. However, such a mathematical analysis does not provide a full assessment of the impact of the proposal because it does not show relationships between buildings and the street, building form and layout context.
9. For all these reasons, the development would not achieve a distinctive and a high quality sense of place. The failure to achieve a high standard of design and place making would harm the character and appearance of the area. Accordingly, the proposal would be contrary to policies CP9 and DM35 of the Wycombe District Local Plan (LP) 2019 and the guidance of the SPD.

Living conditions

10. Each dwelling would have three bedrooms and openings at first floor level. The illustrative streetscene plan shows two first floor windows facing and in close proximity to the rear garden of 5 Old Farm Road. However, appearance would be considered at a subsequent reserved matter stage and it has not been demonstrated that privacy is fundamental to the granting of any outline planning permission at this stage.
11. In this regard, there are ways of achieving satisfactory light and outlook to the windows serving the bedrooms, other than that shown on the streetscene plan. For the eastern plot, the Council acknowledges that it would be possible to have acceptable first floor windows in the side and rear elevations and I have no reason to depart from such a view. For the western plot, a first floor window could be inserted on the part of the side elevation facing the garages. Any views into the garden would be oblique and not direct, whilst views across to the first floor flank window of 6 Old Farm Road would be distant. Other first floor windows could be inserted on the rear elevation.
12. For all these reasons, it has not been demonstrated that there would be any significant adverse effects on the amenities of the occupiers of neighbouring

properties and therefore, the proposal would comply with policy DM35 of the LP (in respect of living conditions).

Other matters

13. In 2008, an appeal was dismissed for a single dwelling on the site which had a similar footprint and access arrangements to the two dwellings now proposed. National policy in the National Planning Policy Framework (the Framework) has been strengthened in seeking to achieve well-designed places but the policy also supports the need to support economic growth. Therefore, national planning policy is more nuanced since this decision and therefore, relevant policies are not the same reducing the weight to this earlier decision.
14. The provision of two dwellings would boost housing land supply which would provide homes for present and future generations. Within the LP, the delivery of new housing remains a key priority for the plan period. Smaller windfall sites provide a valuable contribution in supporting housing delivery on sites within existing settlements which have not been allocated in the plan. National policy in the Framework states small and medium-sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out quickly. Such policy supports the development of windfall sites giving great weight to the benefits of using suitable sites where this could help to speed up the delivery of homes.
15. Residents of the development would have good access to facilities and services, including shops and public transport. Indeed, they help to support the existing local community through an increase in local spending and making use of local services. There will also be a short-term economic benefit during the construction of the development through the employment opportunity of local trades people. The proposal would make more effective use of land through a subdivision of an existing plot. Bringing forward housing on this site would help prevent the development of isolated greenfield sites in the countryside and would help mitigate urban sprawl beyond existing urban settlement boundaries. Such benefits would weigh in favour of the proposal.

Planning balance

16. However, the contribution of two dwellings to housing land supply would be small and there is no dispute that the Council has a 5 year housing land supply. The site would not be previously developed land as the site comprises garden land within a built-up area. The proposal would not create high quality buildings and place and yet the Framework states this to be fundamental to what the planning and development process should achieve. Such harm would be substantive and permanent, and for all these reasons, it would be overriding and determinative.
17. Drawing all these matters together, the proposal would harm the character and appearance of the area in conflict with the identified policies of the LP and the development plan taken as a whole. Material considerations would not be of sufficient weight or importance to determine that the decision should be taken otherwise than in accordance with the development plan and therefore planning permission should be refused.

Conclusion

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

Jonathon Parsons

INSPECTOR