
Appeal Decision

Site visit made on 6 October 2020

by Stephen Wilkinson BA, BPI, DIP LA, MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2020

Appeal Ref: APP/K0425/W/19/3243052

Land rear of 2 and 3 Queensway and 352 Amersham Road, Haslemere, Buckinghamshire HP15 7HP

- 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 W Ling, Bristol Investments Limited against the decision of Wycombe District Council.
 - The application Ref 19/05859/FUL, dated 3 April 2019, was refused by notice dated 23 September 2019.
 - The development proposed is the construction of a two and half storey block containing 8 flats with associated parking and landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellants submitted a revised set of drawings involving the removal of rear dormers and replacement with roof lights with the appeal statement. As these have not been considered by the Council and interested parties have not had an opportunity to fully consider these, for reasons of fairness I have determined this appeal on the basis of the drawings on which the Council made its decision.

Main Issues

3. The effect of the proposal on:
 - the character and appearance of the area,
 - the living conditions of surrounding occupiers by reason of enclosure and dominance, and
 - flood risk.

Reasons

Character and appearance

4. The area surrounding the appeal site lies on the edge of Haslemere and properties in Queensway face allotments which form part of the Green Belt. Residential properties have deep front and rear gardens. This form of development creates a sense of openness which is a defining characteristic of

the area surrounding the appeal site. The appeal site originally formed part of the rear garden area of Nos. 2 and 3 Queensway.

5. Whilst the proposed scheme is designed to integrate, as a comprehensive form of development, with the recently completed flats at 352 Amersham Road, the appeal site has a different context defined as much by this scheme, as by the low scale development to its south-west and south east. In contrast 352 Amersham Road has a context defined by its location on a main road frontage. Although the proposed block has been designed to be subordinate to that of the recently completed scheme, it extends into an area characterised by bungalows and 2 storey development with its flank within a few metres of the appeal site's shared boundary with No. 4 Queensway.
6. As the appeal site intrudes into an area defined by spacious and low rise development, with an overall height of 10.3m, it would appear incongruous and be a jarring presence, highly visible in the immediate area. In particular, it would be highly visible from those properties along Queensway. Design features including hipped gables would not adequately mitigate for its overall height.
7. I acknowledge that around the area there are other sites which amount to back land development and there are examples of irregular plots but I do not know the planning history of these sites. The determining matter on this main issue is not the fact that the proposed scheme does not have a road frontage but its height together with its location mark it out as a discordant form of development in this location.
8. Furthermore, whilst there are 3 storey developments in the area, none of them share the same immediate context of the appeal site. Whilst I accept that new development should not be designed to just replicate its surroundings, my concern on this main issue is that the design of the scheme does not respect the character of the surrounding area. The proposals would break with the sense of openness which is a defining characteristic of the immediate area surrounding the appeal site.
9. For these reasons, on this main issue, I conclude that the proposed scheme would appear incongruous with the surrounding pattern of development by reason of its height and location. The appeal scheme would conflict with policies CP9 and DM35 of the Wycombe District Local Plan (2019) which seek, amongst other matters, to ensure that new development responds positively to its built context.

Living conditions

10. The main difference between the parties, concerns the impact of the proposal on the living conditions of occupiers of Nos. 2-3 Queensway.
11. The design of the proposal would be dominant and overbearing to the occupiers of Nos. 2 and 3 Queensway. The proposed block would be 10.3m high to its ridge line but located between 30-34m away from the rear of the existing properties and around 14m from their rear boundary. These matters would be less acute for the occupiers of No 2 Queensway as the proposed building does not completely lie across the rear of this property.
12. In respect of the potential impacts on No.3 there would be considerable harm to the living conditions of occupiers of this property. This would result from the

relative height of the proposals in relation to the separation distance which would result in the proposed scheme being an over dominant structure when viewed from the rear of the property and the its rear garden.

13. I acknowledge that the recently completed scheme at 352 Amersham Road, sits slightly forward of the appeal scheme. Although this scheme was granted permission two years ago, I do not know the detail of the site history and other matters which have resulted in this form of development. However, in the context of the open character of the area the location of the appeal scheme, in relation to No.3 Queensway, would be overbearing and dominant.
14. For these reasons, I conclude on this main issue, that the proposed scheme would adversely impact on the living conditions of the occupiers of No.3 Queensway. The proposals would not be in accordance with policies CP9 and DM35 of the Wycombe District Local Plan (2019) and the Council's adopted Residential Design Guide which seek amongst other matters to protect living conditions of occupiers of surrounding properties.

Flood Risk

15. The site lies within Flood Zone 1 and although it is less than 1ha in area, Policy DM39 of the Local Plan requires that all development is required to include SUDs¹ designed to ensure that run off rates at the site boundary will not be exceeded; this is in line with Paragraph 163 of the National Planning Policy Framework (the Framework).
16. The Lead Local Flood Authority (LLFA) has raised concerns over the lack of detail included in the Flood Risk Assessment and Drainage strategy. Whilst the LLFA has no objection to the proposals on the basis of flood risk from ground water, it objects to the lack of detail on surface water drainage. From the evidence before me the appellants have included micro-drainage calculations and are relying on ground investigations taken from a neighbouring site at 352 Amersham Road.
17. Although I do not have all the details of the appeal schemes cited by the LLFA in its representations on this matter, this appeal scheme can be distinguished from the appeals cited by the LLFA in the District, where no evidence on this matter was provided. Reliance on the borehole test results from the recently completed site for the appeal scheme would be sufficient evidence given their proximity.
18. The appeal scheme is not major development and whilst Policy DM39 is clear on its requirements, I consider that this matter could be addressed through the use of a condition, as suggested by the LLFA, if I was minded to allow this appeal.
19. For these reasons on this main issue I consider that the absence of details on flood and drainage could be addressed through a planning condition and the proposals do not offend DM39 of the Wycombe Local Plan (2019).

Planning balance and conclusions

20. The appeal site is located close to the centre of Haslemere, within walking distance of services and amenities. Whilst the principle of development of this

¹ Sustainable Urban Drainage Systems

site within the settlement boundary is acceptable, the appeal proposals would adversely impact on the character and appearance of the area and the living conditions of the occupiers of a neighbouring property. Accordingly, these matters weigh sufficiently against other considerations.

21. For the above reasons I hereby dismiss the appeal.

Stephen Wilkinson

INSPECTOR