



Appeal Decision

Site visit made on 5 April 2022

by John Gunn DipTP, DipDBE, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st May 2022

Appeal Ref: APP/K0425/W/21/3282696

Land adjacent to 6 and 8 Wynbury Drive, High Wycombe HP13 7QB

- 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 Steve Strongman, Testament Land Company against the decision of Buckinghamshire Council - West Area (Wycombe).
 - The application Ref 20/07732/FUL, dated 14 October 2020, was refused by notice dated 17 March 2021.
 - The development proposed is described as 'Erect new detached dwelling on current vacant land'.
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Decision

1. The appeal is dismissed

Preliminary Matter

2. The Council has referred, in error, to Policy CS20 of the Wycombe Development Framework Core Strategy (2008) (CS) in their reason for refusal. The appellant is aware of this, and the fact that Policy DM33 of the Wycombe District Local Plan (2019) is the most relevant main issue. I have proceeded with reference to the correct policy in my decision.

Main Issue

3. The main issue is the effect of the proposed development on highway safety, with specific regard to visibility and the Wynbury Drive and Totteridge Lane junction.

Reasons

4. Wynbury Drive is a short residential cul-de-sac. I have no reason to disagree that the access from the appeal site onto it is acceptable. Wynbury Drive joins Totteridge Lane at a priority junction a short distance to the east. Totteridge Lane is a busy main road which, at the time of my site visit, which was early on a weekday afternoon, carried an almost constant and steady flow of traffic subject to a 30mph limit. It provides links to the A40 and A404 which are arterial routes into High Wycombe. It has a curved alignment with Wynbury Drive joining it on the inside of a long bend. At the junction the central part of the road is hatched with white stripes and traffic splitter islands to the north and south.
5. Paragraph 111 of the National Planning Policy Framework (the Framework) makes it clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

6. I observed limited pedestrian movement in and around the junction at my site visit, but traffic was moving freely and appeared to be generally travelling at speeds close to the speed limit. My visit was only a snapshot in time and traffic conditions are likely to be different at other times of the day. In this regard I note the survey information submitted by the appellant which indicates that at peak times two way traffic flows would be between 1015 and 1192 vehicles per hour.
7. It is common ground that, in order to meet the requirements of Manual for Streets (MfS) for the Wynbury Drive/Totteridge Lane junction, visibility splays of 2.4m x 43m would be required. The appellant's evidence suggests that the visibility levels of 2.4m x 30m to the north, and 2.4m x 35m to the south can be achieved given the current state of the junction which I noted was flanked by private garden boundaries and planting outside of the highway. Taking a 1m offset, for visibility purposes, towards the centreline of the Totteridge Land carriageway, which would account for the approach of a motorcycle, would result in 36m available to the north and 44m to the south. In terms of the latter, this would mean the MfS requirement could be achieved albeit the former would remain a more than marginal amount below the required distance. In any case, and as a busy main road, Totteridge Lane would, it is reasonable to assume, carry a far more diverse type of vehicle than just motorcycles.
8. Irrespective of the methodology one uses, visibility at the junction, for egressing vehicles, would be constrained and well below MfS requirements. As a result, I am inclined to share the Highway Authority's concerns that the available Sight Stopping Distance (SSD), in both directions, would be unsatisfactory and would question whether it would be appropriate to allow further development that would increase the use of a junction with already substandard visibility.
9. The increased flow through the junction arising from the proposed development would be one movement during weekday peak hours, and overall, 5 to 6 additional two way movements throughout a typical day. I agree this is, in the grand scheme and context of flows across the junction, a relatively small number. In addition, drivers using Totteridge Lane would be likely to be aware of and used to vehicles emerging from Wynbury Drive, adjusting the manner of their approach accordingly. Furthermore, the area in the vicinity of the junction has a good accident record with no personal injury accidents having been recorded in the six year period up to December 2020. Consequently, the potential for collisions would, arguably therefore, be limited. I am also mindful that, at the time of my site visit, there were gaps within the traffic flow along Totteridge Lane that would enable drivers to emerge from Wynbury Drive without unacceptable impacts on highway safety.
10. That said, and putting aside the behaviour of other users, any increase would be just that. An increase in the load to an already busy junction with a constant stream of free flowing traffic involving a junction with already substandard visibility well below the required standard. The lack of accidents does not guarantee one would not happen in the future through the additional use. Also, and given the greater vehicular and pedestrian activity at peak times, there would be fewer and smaller gaps in the traffic. This would reduce the opportunity for drivers to egress Wynbury Drive, with a consequential increase in risk to drivers as they seek to join the traffic flow.

11. Whilst I find therefore that the cumulative impact of one additional dwelling would not be severe there would still be an unacceptable impact on highway safety, due to the limited visibility and granting planning permission therefore would encourage its increased use. The highway safety risks associated with this arrangement would not be outweighed by the limited benefits of providing one additional dwelling. Consequently, the development would be contrary to Policy DM33 of the LP which seeks to provide with safe and convenient access to the local highway network, as well as the aims of the Framework as I have identified them.

Other Matters

12. The appellant explains that the Council failed to communicate constructively or proactively engage with them in a timely manner. Even if engagement between the main parties has not been as constructive or effective as it could have been, this does not affect my findings on the planning merits of the appeal which are a separate matter.

Conclusion

13. There are no other relevant material considerations worthy of sufficient weight that indicate the application should be determined other than in accordance with the development plan as a whole. For the reasons given above, I therefore conclude that the appeal should be dismissed.

John Gunn

INSPECTOR