



Appeal Decision

Site visit made on 7 February 2023

by John Gunn DipTP, DipDBE, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st March 2023

Appeal Ref: APP/K0425/W/22/3303932

Treadaway Court, Treadaway Hill, Loudwater, High Wycombe HP10 9QL

- 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 A Schneck, Archgrove Estates Ltd against the decision of Buckinghamshire Council - West Area (Wycombe).
 - The application Ref 21/08082/FUL, dated 13 October 2021, was refused by notice dated 31 May 2022.
 - The development proposed is described on the application form as 'Add second floor to create 7 apartments'.
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Decision

1. The appeal is allowed, and planning permission is granted for a second floor to create 7 apartments at Treadaway Court, Treadaway Hill, High Wycombe HP10 9QL in accordance with the terms of the application, Ref 21/08082/FUL, dated 13 October 2021, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The Council was granted an extension of time to submit its written statement on the basis that the appellant submitted a Parking Stress Survey with their appeal documents, which was not available at the time the planning application was determined. The survey has since been examined by the Council's Highway Authority (LHA), who are satisfied that the additional vehicles generated by the proposal could be accommodated safely on the local road network. In light of the survey results, and the response from the Highway Authority, the Council has removed its objection to the current appeal.
3. I am satisfied that the evidence before me, including the submissions of independent experts (the LHA), demonstrates there would be no harm to highway safety. Consequently, the proposal adheres to Policy DM33 of the Wycombe District Local Plan (LP), the Buckinghamshire Council Local Transport Plan 4, the Buckinghamshire Council Countywide Parking Guidance and Buckinghamshire Council Highways Development Management Guidance. It would also comply with paragraph 111 of the National Planning Policy Framework, which indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
4. Given that parking and manoeuvring of vehicles was the sole reason for refusal, and the Council have since removed their objection on this matter, my consideration of this appeal has focussed on whether there are any other issues of weight that would prevent the appeal from being allowed.

Reasons

5. The Council consider that the construction of additional properties is acceptable in principle having regard to Policies CP1, CP3, CP4 and DM33 of the LP. Furthermore, they have raised no concerns with the design of the alterations. In particular, they consider the roof extension would be in keeping with the area, given the varying forms of adjoining development. I share this view and find no conflict with Policies CP9 and DM35 of the LP.
6. There would be no loss of privacy arising from the windows of the proposed apartments given their positions relative to neighbouring properties. However, there is potential for overlooking from the proposed terrace. In this regard the submitted drawings indicate a 1.5m high wall around the terrace with the suggestion that with this would limit views to neighbouring properties. Notwithstanding what is shown on the submitted drawings, a condition is necessary requiring the erection of a 1.7m high privacy screen around the terrace given the relationship with the residential properties at 255 to 261 Boundary Road, and the raised viewpoint. With this condition imposed there would be no conflict with Policy DM35 of the LP.
7. The proposal abuts commercial premises at 263 Boundary Road and the car park that serves the public house at 265 Boundary Road. Consequently, there would be no harmful effects due to loss of light on the nearest residential properties due to the intervening distance.
8. The Environmental Health Officer has raised no objection with respect to sewerage facilities and substantive evidence to demonstrate an inherent adverse effect would occur is not before me. This matter can therefore be covered by the building regulations.

Conditions

9. I have imposed a condition to specify the relevant drawing numbers as this provides certainty.
10. A condition relating to materials is necessary to ensure a high quality design that is sensitive to the surrounding context. However, I have removed the phrase 'unless the Local Planning Authority otherwise first agrees in writing' as this could allow significant changes to the development without proper scrutiny by interested parties.
11. A condition relating to the provision of cycle and bin facilities is necessary to ensure that appropriate facilities are provided for future residents and is maintained for the lifetime of the development. However, I have removed reference to 'unless the Local Planning Authority otherwise first agrees in writing' as this could allow significant changes to the development without proper scrutiny by interested parties.
12. I have omitted the condition suggested by the Council with regards to parking and manoeuvring areas as they already exist. Furthermore, while future residents of the scheme might use the spare capacity within the car park, the appeal proposal is allowed on the basis that additional vehicles generated by the proposal could be accommodated safely on the local road network.
13. A condition is required to ensure that a privacy screen is provided around the perimeter of the terrace area to prevent overlooking of neighbouring residential

properties. However, in order to ensure the privacy screen provides an appropriate level of protection the Local Planning Authority should first agree the design details. I have therefore amended the wording suggested by the Council.

14. A condition requiring the provision of bat/bird boxes is necessary to ensure that the proposed development contributes towards the enhancement of biodiversity.
15. A condition requiring a standard of 110 litres per head per day is necessary in the interests of water efficiency.

Conclusion

16. There are no relevant considerations, of sufficient weight, to indicate the application should be determined other than in accordance with the development plan when considered as a whole. For the reasons given above, I therefore conclude that the appeal should be allowed subject to the conditions set out below.

John Gunn

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission
2. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers JW881-105A; JW881-111E; JW881-130E; JW881-131; JW881-132A and JW881-171.
3. The materials to be used for the external surfaces, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building.
4. The development hereby permitted shall not be first occupied until the cycle and bin storage facilities as shown on drawings JW881-105A and JW-881-132A have been provided. Thereafter the facilities shall be retained for the lifetime of the development.
5. Notwithstanding any detail shown on the drawings hereby approved, and prior to the occupation of any apartment approved under this permission, details of privacy screens for the open communal area, shall be submitted to and approved in writing by the local planning authority. The privacy screen shall be installed in accordance with the approved details prior to the first occupation of the development and shall thereafter be retained.
6. Prior to the first occupation of the development, hereby permitted, two bat and or bird boxes shall be installed within the curtilage of the site and thereafter retained permanently for the lifetime of the development.
7. The development, hereby permitted, shall be designed and constructed to meet a water efficiency standard of 110 litres per head per day.

END OF SCHEDULE