



Appeal Decision

Site visit made on 15 June 2023

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 June 2023

Appeal Ref: APP/K0425/W/22/3311772

25 Willow Close, Flackwell Heath, High Wycombe HP10 9LH

- 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 and Mrs Gogol against the decision of Buckinghamshire Council.
 - The application Ref 22/05027/FUL, dated 6 January 2022, was refused by notice dated 25 May 2022.
 - The development proposed is erection of replacement 1.5 storey dwelling with residential amenity space, car parking and associated landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for erection of replacement 1.5 storey dwelling with residential amenity space, car parking and associated landscaping at 25 Willow Close, Flackwell Heath, High Wycombe HP10 9LH in accordance with the terms of the application, Ref 22/05027/FUL, dated 6 January 2022, subject to the conditions in the schedule at the end of this decision.

Main Issue

2. The appellants have provided a preliminary bat roost assessment, which states there is no evidence of roosting bats at the appeal property. As such, it concludes the proposal would have no impact on bats. In light of this assessment, the Council is satisfied that its second refusal reason as set out on the decision notice has been addressed. I have no reason to disagree with the parties on the acceptability of the development in these regards. As such, the single main issue in the determination of this appeal is the effect of the development on the character and appearance of the area.

Reasons

3. Willow Close is a long residential cul de sac. The appeal property is off a turning head at the end of the road. The adjacent property, 23 Willow Close (No 23), is set further forward than the appeal property. On the other side of the appeal site is 27 Willow Close (No 27).
4. Many of the Willow Close properties have low eaves and ridgelines, albeit that some have dormer windows. No 23 is an exception as it is taller than the other dwellings with its eaves above windows at first floor level. Also, No 27 has a 2 storey front extension. As such, whilst there is a degree of uniformity in the size and design of dwellings on Willow Close, there is a marked variation in the buildings nearest to the appeal site.

5. The replacement house would be noticeably taller than the existing dwelling with a higher ridge and with eaves on the main part of the roof set just above the cill levels of first floor windows. Also, the proposed house would appear bulkier than the existing as it would have a 2 storey high front projection and it would be wider at first floor level.
6. The Council's Residential Design Guidance provides advice that local traits should be drawn upon to inform the design of proposals. As such, the Council suggests the proposed dwelling should reflect the bungalows and chalet bungalows seen on Willow Close. However, the dwelling's closest visual relationship would be with No 23 and No 27 and so it is appropriate for its design to be influenced by the neighbouring properties.
7. The proposed house would be lower than No 23 but it would appear taller than No 27, particularly when having regard to relative ground levels. Even so, these differences in height would not be excessive but would be seen as a logical step down to follow the slope of the land between No 23 and No 27. The proposed half hipped roof would reflect that on No 27's front extension and it would maintain gaps to the side of the house. Moreover, the dwelling would not be so large so as to appear obtrusive or incongruous in the street scene. For these reasons, the scale and form of the proposal would be acceptable.
8. The house is shown on the plans as having grey window and door frames and being finished with timber cladding, smooth render and a slate roof. Such materials would be inconsistent with the prevalent white frames, brickwork and tiles used at Nos 23 and 27 and within Willow Close as a whole. The use of unsympathetic materials would detract from the qualities of the street scene. However, the Council has suggested the imposition of a planning condition that requires details of external materials to be approved, notwithstanding the information on the appeal drawings. The appellant has raised no concerns with this condition. Therefore, the detriment caused by the incongruity of the proposed materials could be addressed.
9. For the above reasons, I conclude the development would not harm the character or appearance of the area. In these respects, it would accord with policies CP9 and DM35 of the Wycombe District Local Plan 2019 (the LP). Amongst other things, these look to deliver a high quality design and development that responds positively to its context.

Conditions

10. I have considered the conditions suggested by the Council in light of the tests for conditions set out in the National Planning Policy Framework. Where appropriate, I have amended the wording for precision reasons and to avoid unnecessary pre-commencement requirements.
11. In the interests of clarity, I impose a condition that lists the approved drawings. However, in light of my views expressed previously, this condition has been reworded so that the development need not accord with the details of materials as shown on the plans. A separate condition that requires the submission and approval of external materials is imposed to ensure the satisfactory appearance of the development.
12. LP policy DM34 requires protection and enhancement of biodiversity and so a condition regarding an ecology scheme is required. In the interests of highway

safety, a condition on the provision of parking is imposed. I attach a condition on electric vehicle charging to reduce the carbon emissions associated with the proposal. To comply with LP policy DM41 a condition on water efficiency measures is attached.

13. As a replacement dwelling of a similar footprint to the existing, there is no reason to find the proposal would increase the risk of flooding and so the condition on surface water drainage is unnecessary. Also, having regard to the minimal impact to planting on the site, conditions that require the provision and maintenance of landscaping are not needed. The Council suggest a condition that would remove permitted development rights but this is not clearly justified and so it is not included.
14. The officer's report on the application leading to this appeal refers to a condition that requires obscure glazing to a side window to prevent overlooking onto No 27. However, such a condition is not included on the Council's suggested list and the plans indicate there is already a first floor bedroom window in the flank elevation nearest to No 27. As such, I am satisfied the development would not result in the loss of privacy and so a condition on obscured glazing is unnecessary.

Conclusion

15. For the reasons given, I find the proposal would be acceptable in respect of the main issue. As such, it would accord with development plan policies when considered as a whole. Therefore, I conclude the appeal should succeed.

Jonathan Edwards

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: W1408 01, W1408 02, W1408 30, W1408 31, W1408 32B and W1408 33, except in respect of the use of dark grey window/door frames, smooth rendered wall finish, timber cladding and slate roof finish as shown on plan numbered W1408 32B.
- 3) Notwithstanding condition no 2, no work to the external finish of the development hereby permitted shall commence until details of the materials and finishes for the external parts of the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) Apart from the demolition of the existing dwelling, no development hereby permitted shall commence until a scheme for enhancing the quality of the development for ecology, including an implementation timetable, has been submitted to and approved in writing by the local

planning authority. The ecology enhancement scheme shall be implemented as approved.

- 5) The parking spaces as shown on the approved plans shall be laid out prior to the first use/occupation of the development hereby permitted. Thereafter the spaces shall only be used for vehicular parking and no other purpose.
- 6) Prior to the first use/occupation of the development hereby permitted, one electric vehicle charging point with a minimum rating of 32 amp shall be installed to serve the occupants and visitors to the approved dwelling. The charging point shall thereafter be retained.
- 7) The development hereby permitted shall be designed and constructed to meet a water efficiency standard of 110 litres per head per day.