



Appeal Decision

Site visit made on 30 May 2023

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2023

Appeal Ref: APP/K0425/W/22/3305712

56 Kingston Road, High Wycombe HP13 6UB

- 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 Rashid against the decision of Buckinghamshire Council.
 - The application Ref 21/08747/FUL, dated 22 December 2021, was refused by notice dated 23 February 2022.
 - The development proposed is erection of 3 bedroom semi detached house
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council refers to the Residential Building Design Guidance SPD (Jan 2020). However, the version supplied with this appeal was adopted in June 2017. I have sought clarification from the Council who confirm that reference to Jan 2020 was made in error and the correct document is the Residential Design Guidance Adopted June 2017 (RDG) and I have considered the appeal on this basis.

Main Issues

3. The main issues are:
 - the effect of the proposed development upon the character and appearance of the area,
 - whether the proposal would provide satisfactory living conditions for future occupiers with particular regard to waste collection, recycling bins and cycle provision; and,
 - the effect of the proposed development upon the living conditions of the occupiers of 56 Kingston Road with particular regard to waste collection, recycling bins and cycle provision.

Reasons

Character and appearance

4. 56 Kingston Road (No 56) is a semi-detached dwelling located on a corner plot within a dense residential area. The area is sloped with dwellings behind No 56 on Hobart Close being on higher ground which slopes down with the dwellings on the opposite side of No 56 being below street level.

5. The dwellings on Kingston Road are predominantly semi-detached and set back from the road with a combination of parking and front gardens. No 56 has a side garden which maintains the set back from the road and provides a separation from the dwellings on Hobart Close. This is a feature that is replicated on the dwellings opposite which are also located on corner plots and link positively to Hobart Road.
6. The proposal would introduce a dwelling within this space that would sit forward of the frontages of the dwellings on Hobart Close. The proposal would also result in a short row of terraced dwellings being created, which would stand out in the context of the predominantly semi-detached dwellings. As a result, the proposal would result in a dwelling that stands out as an inharmonious feature on the street scene.
7. I conclude that the proposal would harm the character and appearance of the area. It would therefore be contrary to policy DM35 of the Wycombe District Local Plan Adopted August 2019 (LP) which amongst other things, seeks to improve and respond positively to the character of the area.
8. It would also be contrary to guidance contained within the Council's Housing Intensification Guidance¹ (HIG) and RDG. Amongst other things, this guidance seeks to ensure development is well designed and results in environments that are of high quality.

Living conditions for future occupiers

9. The Council's decision notice refers to inadequate waste collection and recycling bins for the new dwelling and No 56. However, the officer's report only makes reference to inadequate provision for No 56.
10. Notwithstanding the above, whilst waste collection, recycling bins and cycling provision is not shown, sufficient space is available within the garden to provide this and access would be available directly from the garden. I am therefore satisfied that subject to a condition requiring details that these matters could be overcome.
11. I conclude that the proposal would provide adequate living conditions for future occupiers with regard to waste collection, recycling bins and cycling provision. I therefore find no conflict with policy DM35 of the LP which amongst other things, seeks to ensure development provides a level of amenity for future occupiers.
12. It would also be compliant with guidance contained within the Council's HIG and RDG which amongst other things, seeks to ensure development provides adequate living conditions for future occupiers.

Living conditions of the occupiers of 56 Kingston Road

13. The proposal would result in No 56 becoming a mid-terraced dwelling and based on the submitted plans no access is shown to the rear garden other than through the main dwelling. As a result, it would not be possible to store waste and recycling bins within the rear garden. This would likely mean that the bins

¹ Housing Intensification Supplementary Planning Document, adopted 21 December 2005, as amended by the Housing Intensification Supplementary Planning Document 2011 Update, adopted October 2011, Wycombe District Council.

would be stored to the front of the dwelling, within the car parking spaces which would lead to access being impeded by parked cars.

14. This would result in an awkward arrangement for the occupiers of No 56, particularly due to having to access the bins from the front of the house and the impediment by cars. This arrangement could also lead to cars needing to be moved to be able to place the bin out for collection each week causing a nuisance for the occupiers of No 56.
15. The appellant has not shown any cycling provision for No 56. As No 56 will become a mid-terraced dwelling with no access to the rear garden, whilst there is sufficient garden space to provide cycling storage access to this would be through the house which would cause a nuisance to the occupiers of No 56 and discourage use.
16. I conclude that the proposal would cause harm to the living conditions of the occupiers of No 56 with regard to waste collection, recycling bins and cycle provision. It would therefore be contrary to policy DM35 of the LP which amongst other things, seeks to ensure development prevents significant adverse impacts on the amenities of neighbouring property.
17. It would also be contrary to guidance contained within the Council's HIG and RDG which amongst other things seeks to ensure development provides adequate living conditions for existing occupiers.

Other Matters

18. I acknowledge that the appellant has sought to match materials, windows and detailing to existing dwellings within the area. I also have no reason to conclude against the Council's assessment that the proposal would provide adequate internal and external space. However, these matters do not outweigh the harm I have identified.
19. The appellant has referred to several examples of developments in the area in order to justify the proposal. I do not have full details in respect of such examples so I cannot be sure of the circumstances of these. In any case, I have determined the appeal on its own merits, based on the evidence before me.
20. However, from site observations 58 Kingston Road has been extended to the side and results in the building being close to the road. However, the existing dwelling would have already been forward of the frontages of the dwellings behind on Hobart Close and as such the extension would not have altered this relationship.
21. 9 Kingston Road is located towards the end of the Road on a steep slope. The dwellings on this stretch of the road are stepped and staggered to follow the steep slope which creates a rhythm on the street scene. The dwelling that has been erected maintains this rhythm and also does not have the appearance of sitting forward of the frontages of the dwellings on the adjacent Salisbury Road as this road bends away from the site.
22. 50 Kingston Road, whilst located close to the appeal site it is not located on a corner plot and therefore does not sit forward of any frontages.

23. In regard to 28 and 30 Adelaide Road the character and appearance of this road is different to the appeal site whereby the dwellings sit on wider plots and frontages tend to be more open. The dwellings are located on corner plots however Perth Road bends away from No 30 which allows the frontages to be maintained.
24. In respect of 40 and 42 Walton Road, the original dwellings would have already been forward of the frontages of the dwellings at the end of the T-shaped Walton Close. As such the provision of the two new dwellings would not have altered this relationship with the existing dwellings which differs from the appeal proposal.
25. I note that an amended plan was submitted to the Council in order to attempt to overcome the concerns raised which the Council chose not to accept as they felt it would not overcome the reasons for refusal. This amended plan is therefore not before me to consider as part of this appeal and as such I can only consider the plans in front of me.

Conclusion

26. For the reasons set out above, having had regard to the development plan read as a whole, and all other material considerations, I conclude that the appeal should be dismissed.

D Wilson

INSPECTOR