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Your reference RP/JAP/130/73  
Our reference APP/5136/A/74/8506  
APP/5136/E/75/20  
Date  
3 October 1975

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 36  
TOWN AND COUNTRY PLANNING (LISTED BUILDINGS AND BUILDINGS IN CONSERVATION AREAS)  
AMENDMENT REGULATIONS 1974  
APPEALS BY DR J SCOREY  
APPLICATION NOS W/470/74 - W/1868/74

1. I am directed by the Secretary of State for the Environment to say that consideration has been given to the report of the Inspector, Mr P R D Youngs ARICS, MRTPI, Dip T.P. (Leeds), who held a local inquiry into your client's appeals against the decisions of the Wycombe District Council to refuse planning permission for the erection of a 3 storey office building at 4 Priory Road, High Wycombe (Appeal A) and the demolition of an unlisted building within a conservation area at the same site (Appeal C). A third appeal, concerning the erection of a three storey building containing offices, showroom and 8 car parking spaces was withdrawn at the inquiry. A copy of the report is enclosed.

2. The Inspector said in his conclusions:-

"In terms of land use and design, the appeal proposal would accord with the provisions of the Town Map and enhance the townscape qualities of the conservation area. I find no reason to question the suitability of the site for office development having regard to the predominantly commercial character of adjacent development and its location on the northern edge of the commercial area of the town centre. In my view the railway line to the north establishes a well-defined physical boundary to the commercial area at that point and the authority's suggestion that redevelopment of the site should include some residential use is not a solution which, in my opinion, commends itself in view of the restricted nature of the site and its surroundings and their inability to provide an acceptable residential environment. In terms of the authority's office control policy, whilst that policy appears in general to be well-founded, it is desirable for there to be some flexibility in its application to provide a measure of additional office accommodation which must inevitably be required if the commercial and industrial activities of the town are to flourish. In my opinion the limited nature of the appeal proposal in terms of floor space would not have any material impact on the underlying aims of that policy nor prejudice its future application. On the other hand, the appeal scheme could provide accommodation well-suited to local needs in a conveniently located position. The planning authority has been prepared to depart from a rigid adherence to its policy elsewhere in the past in the interest of obtaining a townscape benefit and I consider the appeal proposal offers that same advantage. The appellant has stated his willingness to accept an occupancy condition which, if imposed, would substantially satisfy the authority's policy objection. On the aspect of over-development, that is related to the shortfall of on-site parking provision which the appellant is prepared to rectify by a commuted payment. The question of commutation is a matter for decision by the authority and they have accepted this method in the past where townscape considerations have been involved. I consider

the townscape gain offered by the appeal scheme justifies a similar relaxation of the normal on-site parking requirement and that the 8 parking spaces proposed, would be sufficient for the more essential needs of the building. As to Appeal (C), the authority's objection is based on their concern to avoid a vacant site becoming a feature of the conservation area for an indefinite period. This is a valid point to which reference is made in paragraph 12 of Circular 147/74 and to minimise the risk of that situation arising, I consider the normal 5 year time condition covering the commencement of development should be reduced to one year".

3. The Inspector recommended that:-

In the case of Appeal (A)

The appeal be allowed and planning permission be granted for the erection of a 3-storey office building at No 4 Priory Road, High Wycombe, Buckinghamshire in accordance with the terms of the application numbered W/470/74 and the plans submitted therewith as subsequently amended by Drawings 130.73.2C; 130.75.3B and 130.73.4B and subject to the following conditions:-

i. the development hereby permitted shall be begun not later than one year from the date of this decision letter;

ii. the building hereby approved shall be occupied only by a firm or company already established and occupying at the date of this permission, a building within the administrative area of Wycombe District Council which possesses an authorised use as offices within the meaning of that term in the Town and Country Planning (Use Classes) Order 1972;

iii. details of the materials to be used externally in the construction of the building hereby approved, shall be submitted to and approved by the local planning authority prior to development commencing on site.

In the case of Appeal (C)

The appeal be allowed and listed building consent be granted for the demolition of No 4 Priory Road, High Wycombe, Buckinghamshire in accordance with the terms of the application numbered W 1868/74 and the plan submitted therewith.

4. The Inspector's conclusions as to the land use aspects of the proposal take account of the local planning authority's alternative suggestion for development with shops and flats. This suggestion has been carefully considered in view of the present urgent need to provide more housing but the objections which were raised to it at the Inquiry on behalf of the appellant do not appear to have been rebutted and no reason is seen to disagree with the Inspector. Given the acceptability of the appeal proposed on land use grounds; the strength of the appellant's arguments in favour of redevelopment of the site; and the absence of proposals for any reasonable alternative form of development it would be difficult to refuse permission on office policy grounds, though in reaching their view the local planning authority contentions as to the impact of additional office development have not been overlooked. The remaining objection, namely the shortfall of parking spaces is not considered in all the circumstances to be a strong enough reason for refusal on its own. The Secretary of State accepts the Inspector's recommendation therefore that appeals (A) and (C) be allowed.

5. The Inspector recommended that appeal (A) be allowed subject to 3 conditions. With regard to the first condition, whilst the Inspector's reasons for recommending such a condition are accepted, it is considered that a period of one year during which development should commence is unreasonably short since delays outside your client's control could occur. For this reason the view is taken that a 3-year period would be more appropriate. Regarding the second condition, the Inspector's recommendation arises from the authority's policy of restricting office development

in High Wycombe to meet local needs only. The need for such a condition is accepted but it is considered unreasonable for it to apply in perpetuity and that instead it should apply only until the date when a structure plan within the meaning of Part II of the Town and Country Planning Act 1971 (as amended) could be expected to come into force. As regards the third condition, it is considered that this should make provision for a right of appeal to the Secretary of State in default of agreement with the local planning authority.

6. For the reasons stated in paragraphs 4 and 5 of this letter the Secretary of State allows appeal (A) and hereby grants planning permission for the erection of a 3 storey office building at No 4 Priory Road, High Wycombe, Buckinghamshire in accordance with the terms of planning application No W/470/74 and the plans submitted therewith as subsequently amended by drawings Nos 130.73.2C; 130.73.3B and 130.73.4B subject to the following conditions:-

1. The development hereby permitted shall be begun not later than 30 September 1978.
2. Until 31 December 1978 the premises shall be used only by a firm or company occupying at the date of this permission a building within the administrative area of the Wycombe District Council which is used for offices within the meaning of that term in the Town and Country Planning (Use Classes) Order 1972.
3. Details of the materials to be used externally in the construction of the building hereby permitted shall be as may be agreed with the local planning authority or in default of agreement as shall be determined by the Secretary of State.

The Secretary of State also allows appeal (C) and hereby grants listed building consent for the demolition of No 4 Priory Road, High Wycombe.

7. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than sections 23 and 277A of the Town and Country Planning Act 1971 (as amended).

I am Gentlemen  
Your obedient Servant



D RICHARDSON  
Authorised by the  
Secretary of State to  
sign in that behalf