
Appeal Decision

Site visit made on 19 November 2019

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2019

Appeal Ref: APP/K0425/W/19/3235786

St Mark's House, 1 Station Road, Bourne End SL8 5QF

- 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 UK Lux One SPV 1 Ltd against the decision of Wycombe District Council.
 - The application Ref 19/06475/FUL, dated 14 June 2019, was refused by notice dated 20 August 2019.
 - The development proposed is described as the 'extension of the existing building and residential flats (granted under prior approval 18/07772/PNP30) to include an additional floor above the first floor level and associated works (in conjunction with works approved under 18/07440/FUL)'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposal on (i) the character and appearance of the area; and (ii) the living conditions of the occupiers of 40 and 41 Fieldhead Gardens, having regard to outlook.

Procedural Matter

3. Since the Council's decision on this proposal a similar scheme, at the same site, has been allowed under a separate appeal¹. This is material to the determination of the current proposal. The appellant has commented on that decision within their evidence and the Council have been given opportunity to comment as well. However, no response was received within the time provided.

Reasons

Character and appearance

4. St Mark's House is a vacant 2-storey building which has previously been used as office accommodation. The planning history for the site details various approvals for redevelopment to residential apartments. The property has traditional bonding details utilising buff brick and red brick detailing to the openings and corners of the building. The roofs are covered with slate and have shallow, hipped forms. The main roof has overhanging eaves and timber corbel details to the front façade and flanking elevations. Due to these features, its width and ground floor projection, the building has a horizontal emphasis.

¹ APP/K0425/W/19/3232098

5. The proposal is to obviate the main roof structure, raise the eaves, and erect a mansard-style replacement roof with 15 dormer windows in the proposed steeply pitched roof slope. This provides an additional floor to the building to provide four 1-bedroom studio flats.
6. On the most prominent elevations of the current scheme the roof extension is sited over the outer walls of the building. However, the recently allowed appeal, which represents a fall-back position, sets the mansard-style roof back behind a horizontal parapet wall, generating subservience and retaining some horizontal emphasis. Both schemes would inevitably increase the overall mass of the building. However, the current appeal scheme would have a greater impact due to bringing the extension flush at the front and sides, and this would not be mitigated by the nominal reduction in height compared to the recently allowed appeal. Consequently, the current scheme lacks the subtle details of set-back and parapet wall detailing. The additional courses of brick at eaves level combined with the steeply pitched, flush roof slope and insertion of a number of dormer windows would cumulatively alter the character of the building. Unlike the recently allowed appeal, the roof would become a dominant feature in the building's appearance, increasing its bulk, mass and verticality. This would not reflect good design.
7. Within the street scene and surrounding area, there are a variety of architectural forms, scales and periods including a gambrel roofed building virtually opposite, and a mansard-style roof to the rear of the appeal site. The latter has a virtually vertical front roof slope and is a large building. Dormer windows are also evident. I have considered the examples provided by the appellant in advance of their scheme, however, many of them are background buildings, not within the immediate context, or not forms of development that it would be desirable to replicate. Around the appeal site, close to the highway edge, the character is for lower profile structures. Furthermore, this is a prominent building within the street scene due to its width and siting close to the highway edge. Given its siting, the immediate context for lower profile buildings, and my findings above in relation to the proposed building design, I consider that the current proposal would be out of keeping with the character and appearance of the street scene.
8. The appellant has had reference to section 12 of the National Planning Policy Framework. Paragraph 130 sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.
9. For the reasons given above, the proposed development would cause harm to the character and appearance of the area. Consequently, in regard to the first main issue, I find conflict with saved Policies CP9 and DM35 of the Wycombe District Local Plan – Adopted August 2019 (WDLP), the Wycombe Residential Design Guidance – Adopted June 2017 (WRDG), and the Wycombe District Council Housing Intensification Supplementary Planning Document – Adopted October 2011 (WDCHISPD). These, amongst other aims, seek to secure high quality design, and a strong sense of place.

Living conditions

10. To the rear of the appeal building is a terrace of dwellings which includes 40 and 41 Fieldhead Gardens to the southern end of the row. The rear elevation of

- No 40, and to a lesser degree No 41, face towards the appeal building with the remainder of the terrace facing the open aspect of the proposed parking area.
11. The current appeal scheme sets the roof extension back further from the rear elevation and has a slightly reduced height compared to the recently allowed appeal. I also note the presence of landscaping on the roof terrace. Otherwise the two schemes are markedly similar in terms of the potential impact on living conditions of neighbouring property. I consider that the recessed rear elevation and reduction in height would nominally improve the living conditions for the occupiers of Nos 40 and 41 over the recently allowed appeal. Furthermore, I find that the proposed landscaping would have a negligible effect.
 12. I have noted drawing reference 7242/PL/18 Rev T that shows a cross-section through No 40 and the appeal building. This demonstrates that from the ground floor windows and garden that there would be some glimpsed views of the roof extension and that a clear outlook would be broadly retained when applying a 25-degree line. Whilst the roof extension would be more visible from first and second floor windows, a reasonable outlook would remain. I consider that the physical change and height increase over the existing is minor, as a proportion of the existing building. Furthermore, I do not consider that the proposal would create a dominant or overbearing impact upon the living conditions of Nos 40 and 41.
 13. I have had regard to the WRDG, noting that section 5.5 sets out guidance on achieving a good outlook. It states that in practice a reasonable outlook is achieved by ensuring that there is sufficient distance between windows and facing buildings, and that as a guide, the height of the facing building should be the minimum distance between buildings and windows. The proposal complies with the spirit of this guidance.
 14. Therefore, I find no unacceptable effect on the living conditions of the occupiers of 40 and 41 Fieldhead Gardens, having regard to outlook. Consequently, in regard to the second main issue, I find no conflict with Policies CP9 and DM35 of the WDLP, the WRDG, and the WDCHISPD. These, amongst other aims, seek to safeguard the amenities of future residents with particular reference to visual intrusion, and ensure that proposals achieve a reasonable outlook.

Other matters

15. I note that the proposal would make a more efficient use of land. However, in light of the fall-back position created by the recently allowed appeal I consider that this can be achieved similarly without the harm that I have previously identified. As such I place limited weight on this.

Conclusion

16. For the reasons given above, whilst I find no harm to the living conditions of No 40 and 41 with regard to outlook, I consider that harm would occur to the character and appearance of the area. The harm is not outweighed by other material considerations. Therefore, I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR