



Appeal Decision

Site visit made on 7 January 2020

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Thursday, 30 January 2020

Appeal Ref: APP/K0425/W/19/3239418

39 Totteridge Avenue, High Wycombe HP13 6XG

- 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 Khurran Mahboob against the decision of Wycombe District Council.
 - The application Ref: 18/08253/FUL dated 11 December 2018, was refused by notice dated 16 October 2019.
 - The development proposed is the construction of part two storey, part single storey side and rear extension and conversion of existing HMO into 4 x 1 bed flats, including detached cycle store and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council amended the description of the development from the 'conversion of existing dwelling to 4 flats (4 x 1-bed flats) together with construction of part two storey, part single storey side and rear extension with alterations and detached cycle store' to the 'construction of part two storey, part single storey side and rear extension and conversion of existing HMO into 4 x 1 bed flats, including detached cycle store and associated works'. The revised description has also been used by the appellant on the appeal form. I consider that the revised description is a more succinct summary of the proposal and have therefore proceeded on this basis.

Main Issues

3. The main issues are:
 - the effect of the development upon the character and appearance of the surrounding area; and
 - whether appropriate living conditions would be provided for the future occupiers of the development.

Reasons

Character and appearance

4. The appeal site consists of an end of terrace building, sited within a predominantly residential area. Few dwellings within the surrounding area have

- been the subject of side extensions, which gives the environs of the appeal site a regular character and form. In addition, the road has a significant gradient.
5. The proposed extension would have a significant width. This is particularly noteworthy as the appeal site is located within a terrace. In consequence, there is a strong relationship between the appeal site and the buildings to which it is attached in terms of design, width and architectural detailing. The development would therefore erode this characteristic as it would significantly add to the width of the building. It would also lack a design that is representative of the architectural detailing utilised on the original building and those within the adjoining terrace.
 6. Furthermore, the proposed extension would increase the bulk of the building, in contrast to the regular character and form that defines the surrounding area. This causes concern as the side extension would be particularly prominent as it would be clearly visible from further up the road. Owing to the topography of the vicinity, the proposed extension would be particularly visible, thereby exacerbating the incongruous form of development.
 7. I acknowledge that the proposed extension would be set in from the site's side boundary, however, the degree of set back would be relatively small. In consequence, this would not successfully mitigate the adverse impact upon the character and appearance of the surrounding area as previously identified.
 8. My attention has been drawn to a previous planning permission that has been granted by the Council for a development, including an extension. I have not been provided with the full information regarding the planning circumstances of this development, which lessens the amount of weight that can be attributed to it.
 9. However, the evidence before me is indicative that the current scheme is significantly wider than the previously permitted extension and features a sizeable single storey element. In consequence, the previously permitted development, and the scheme that is the subject of this appeal, have some notable differences. Therefore, I do not believe that the presence of this previous approval requires me to disregard my previous concerns.
 10. I therefore conclude that the proposed development would lead to an adverse impact upon the character and appearance of the surrounding area. The development, in this regard, would fail to accord with the requirements of Policies CP9 and DM35 of the Wycombe District Local Plan (2019) (the Local Plan). These policies, amongst other matters, seek to ensure that developments improve the character and appearance of the area; and create positive and attractive buildings and spaces.

Living conditions

11. The proposed development would consist of four flats, including one that would feature rooms within the roof of the building. The building features a variety of roof ridges
12. The proposed flats would have an area that fall below the minimum thresholds established within the Nationally Described Space Standards (NDSS). In consequence, the ability of the development to accommodate the likely needs of the future occupiers in terms of providing room for the normally required furniture, storage space and circulation room is significantly diminished. In

consequence, the development would fail to provide adequate living conditions for the future occupiers.

13. I acknowledge the comments raised by the appellant that the planning application was submitted in advance of the adoption of Policy DM40 of the Local Plan, which requires that developments be carried out in accordance with the NDSS. However, the policy in question forms part of the adopted Development Plan. Furthermore, it has also been the subject of an examination in public, in which the Inspector would have considered whether the policy would have placed an undue burden on new development. I also understand that prior to adoption, the policy was the subject of public consultation.
14. Therefore, given this background, I have attributed the policy full weight in my assessments. As I have also identified that some harm would arise from this breach, I do not find that the date on which the planning application was initially submitted overcomes my concerns.
15. Furthermore, owing to the proposed layout, the bulk of Flat 4 would be sited within the roof space of the building. As a result, the amount of usable floorspace in the rooms within the roof is significantly diminished. This is because the roof pitch would reduce the ceiling height within the dwelling and would create irregularly shaped walls. In consequence, the amount of usable floor space within this dwelling would be significantly diminished. This causes concern as this layout would create a cramped form of development. Furthermore, the roof shape is likely to diminish the amount of head room within the development. In consequence, residents within this dwelling would lack suitable circulation space.
16. Whilst I acknowledge that the proposed development is relatively small (comprising four flats, each with one bedroom), however, the possibility exists that some bedrooms might be occupied by a couple. This would exacerbate the lack of circulation space and would contribute to a generally cramped form of development.
17. The bedroom windows for Flat 1 would be sited at the front of the building. In consequence, there is a likelihood that all occupiers of the development would pass in proximity to these windows when entering or leaving the building. This would prevent a satisfactory level of privacy from being secured for the future occupiers of this flat. Whilst I acknowledge that the building currently features a bedroom at the front on the ground floor, the building is in use as a House in Multiple Occupation. In consequence, there is a likelihood that all residents would be reasonably well known to one another. This contrasts with the development before me, which would contain four separate households where there might not be the same level of familiarity between residents.
18. Whilst I note that a development has previously been approved at this site, and that this permission appears to be capable of taking effect, this previous permission was for a different form of development, with a contrasting layout. Therefore, the living conditions for the occupiers of this development are different from the scheme currently before me.
19. I therefore conclude that the proposal represents a cramped form of development without sufficient privacy for all occupiers and it fails to secure satisfactory living conditions for the future occupiers of the development. The development, in this regard, would fail to comply with the requirements of

Policies CP9, DM35 and DM40 of the Local Plan and the Residential Design Guidance (2017). These, amongst other matters, seek to ensure that developments make places better for people; have a good level of privacy and living conditions appropriate to the type of development; and are of a size consistent with the requirements of the NDSS.

Other Matters

20. The evidence before me is indicative that the proposed development would not cause harm to the living conditions of the occupiers of neighbouring properties. Whilst this is a matter of note, it does not overcome the harm as previously identified.

Conclusion

21. For the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR