

Appeal Decision

Site visit undertaken on 24 May 2022

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision Date: 21ST June 2022

Appeal Ref: APP/K0425/W/21/3284631

255 West Wycombe Road, High Wycombe HP12 3AS

- 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 Barar Homes against the decision of Buckinghamshire Council (Wycombe Area).
 - The application, ref. 20/06950/OUT, dated 28 July 2020, was refused by notice dated 9 August 2021.
 - The development proposed is described as an outline application (including details of access, appearance, layout and scale) for demolition of existing dwellings and construction of single building containing 6 apartments, associated parking and bin/cycle stores with details of Landscape reserved.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the Council's description of development taken from the Decision Notice as this provides a more detailed description of elements requiring planning consent. I note that this description has also been listed on the appellant's appeal form.
3. The application was made in outline, with access, appearance, layout and scale to be determined at this stage; and landscaping as reserved matters. I confirm that I have dealt with the appeal on this basis.

Main issues

4. The main issues are the effect of the proposed development upon:
 - The character and appearance of the locality; and
 - The living conditions of adjoining occupiers of No.259 West Wycombe Road, with particular regard to privacy.

Reasons

Character and Appearance

5. The appeal site lies to the south of West Wycombe Road, a main road which leads into the centre of High Wycombe. The plots along both sides of the

road are long with the majority of dwellings appearing to date from the early to mid-twentieth century. The earlier dwellings consist of varied designs of detached and semi-detached properties with arts and crafts influences with mock timber boarding to gables, the use of pebbledash render amongst brickwork, with large bay windows and chimney stacks and decorative brickwork. As the plots are long, dwellings have large proportions and large rear wings. The roof forms are typically shallow and hipped with dwellings along the road maintaining a similar height. To the south of West Wycombe Road the topography slopes away from the road with many dwellings along this side having undercroft accommodation with a three storey appearance to the rear, but two storey appearance from the road. Over the decades some of the original dwellings have been demolished with new flatted schemes introduced to the street scene.

6. The buildings along West Wycombe Road are setback from the road edge as well as from side boundaries placing an emphasis on spaciousness and gaps in and around the buildings. As one walks along the road, gaps between buildings provide glimpses between buildings to the tops of trees and greenery beyond. Along with vegetated front gardens these elements reinforce a spacious, leafy and distinctive character which is part of the character and appearance of the locality.
7. In undertaking new development, the Wycombe District Local Plan 2019 (LP) Policy DM35 seeks to encourage development that provides positive characteristics such as understanding context, be high quality in character in form, scale, layout and detailed design and acknowledging the spaces around them, amongst others. These policies are supported by The Residential Design Guide (RDG) which offers guidance on specific elements of designing new schemes and alterations, taking into account context and character, amongst others.
8. The proposed scheme would have the presence of a two storey property to the front and three storeys to the rear in order to follow the topography of the site. The appellant has supplied a building depth analysis which illustrates that many of the buildings along the street, including new buildings have depths of built form ranging between 10 metres and 22 metres, however those within the immediate context are between 10 metres and 11 metres. Whilst the analysis presents the proposed building as 10.8 metres long, this is incorrect given that this is a measurement of the main component of the dwelling, and does not include the rear wing and the measurement for No.247 also does not appear to be the entire depth. However when looking at the principle of depth alone, it would appear that there is potential for the proposed depth if combined with a satisfactory design.
9. The overall design of the scheme contains a rectangular component to the front with a steeply pitched hipped roof with a three storey rear wing with hipped roof. Whilst hipped roof forms are a common element within the street, they are more shallow than as proposed. It would appear that in order to gain more unrestricted head room within the roof that the apex of the roof has been increased giving a large roof to wall ratio. I appreciate that a similar wall to roof ratio exists at No.249-251, however the appeal proposal has a taller apex and greater massing to the rear than No.249-251.

Additionally the wall to roof ratio as presented on the appeal scheme is not a characteristic position found along the street. The result is that the proposed roof would have an awkward and 'top-heavy' appearance that would not be a proportionate addition within the street scene when seen amongst neighbouring properties.

10. My attention is drawn to other new developments in the street such as No.247 where a building containing apartments was permitted in 2021¹. This building has a much more appropriate wall to roof ratio which aligns with the height of neighbouring dwellings in its immediate context. When viewing other properties as highlighted in the appellant's Appendices², the dwellings along the street do not exhibit a wall to roof ratio as does the proposed scheme which is further emphasised given the immediate context where the difference in roof to wall ratio and scale of development is further emphasised.
11. Taking the above into account and in conclusion of this matter, the proposed scheme would have a disproportionate appearance that would not be in keeping with the character, appearance and local distinctiveness of the locality. Consequently, the proposal would be contrary to the LP Policy DM35 as described previously.

Living conditions

12. The main concerns raised by the Council relate to the windows on the side façade of the first floor which look directly into the neighbouring building to the east, No.259. The window would serve a bedroom and would be the only source of natural light for this room, meaning that it would not be appropriate to seek that the window would be obscurely glazed as this would provide poor living conditions for the occupant.
13. The justification for this window in the side wall is that it provides beneficial overlooking opportunities in the form of surveillance of the neighbouring driveway which serves two flats. I am also provided with photographs of the surroundings which show the parking area to the rear of No.259 as well as a small garden and an amenity area for the neighbour to dry their clothes and sit in the garden immediately to the rear of the dwelling.
14. I am not convinced by the arguments put forward by the appellant that such overlooking is a benefit to the neighbouring resident, where it is evident that the proposed scheme does overlook the neighbouring property and is able to gain direct views into areas of amenity space for the neighbouring occupier. The proposed window to the side of the building would increase the perception of overlooking and also have significant adverse impacts to their perceived levels of privacy. Turning to the proposed balconies, I agree that suitably worded conditions could prevent overlooking opportunities.
15. Taking the above into account, and in conclusion of this matter, the proposal would be contrary to LP Policy DM35 which seeks to avoid significant adverse impacts to the living conditions of neighbouring residents as a result of loss of privacy.

¹ Buckinghamshire Council (Wycombe Area) Planning Ref: 20/06037/FUL

² Appendices 2, 4, 5 and 9 show examples of dwelling types along the street for comparison purposes

Other Matters

16. I note comments from interested parties with regards to the continued loss of Victorian houses along West Wycombe Road; lack of parking; stress on local infrastructure; loss of family homes; disruption to residents; loss of sunlight, outlook and overlooking towards No.253; and lack of communal space for future occupants. The Council has not raised any objections on the basis of lack of parking, provision of amenity space, loss of family dwellings or loss of Victorian dwellings and I have no reason to disagree with this assessment, particularly with regards to parking where the Highways team believe the scheme is in accordance with the development plan, subject to conditions.
17. With regards to No.253, I note that the loss of light, overlooking and outlook towards this property is not utilised as a reason for refusal in the Council's Decision Notice. Whilst the dwelling is mentioned briefly in the Council Officer's Report, it is stated that windows to the east flank are 'not habitable' which is incorrect given that there is a window on the first floor leading into a living area. However, the Council's Statement of Case does introduce concerns with regards to overlooking of this residence, particularly with a number of windows from different apartments having direct views over No.253 which accord with the interested party's view. I agree with the interested party that this is a valid concern, however as the appeal is already being dismissed on two grounds, it is not necessary to review this impact towards No.253 further within this appeal.
18. I also note comments in the appellant's SoC with regards to the prior approval process whereby there is allowance for a fast tracked process for granting additional stories to existing buildings which the appellant seeks that I treat as a material consideration to this appeal. It is noted that the appeal proposal is an application for a new flatted development, rather than an application to extend an existing building. It is also noted that the prior approval process also requires an assessment by the Council as to any impact towards the living conditions of surrounding residents, such as overlooking, as well as the external appearance of the property. Whilst I appreciate the position of Government in relation to allowing greater building heights, I am not persuaded as to the relevance of the prior approval process to this particular appeal in order for this to be considered a material consideration to the scheme. There are consequently no material considerations that warrant a decision other than in accordance with the development plan.

Conclusion

19. For the reasons given above, I conclude that the appeal be dismissed.

J Somers

INSPECTOR