



Appeal Decision

Site visit made on 13 June 2023

by J Wellstead BA(Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2023

Appeal Ref: APP/K0425/D/23/3320144

2 Bushey Close, High Wycombe, Buckinghamshire HP12 3HL

- 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 Ms Aifra Perveen against the decision of Buckinghamshire Council.
 - The application Ref 22/08086/FUL, dated 17 November 2022, was refused by notice dated 17 March 2023.
 - The development proposed is construction of hardstanding to front.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the banner above I have used the description of development given on the Council's decision notice, rather than that given on the planning application form. This description best reflects the development for which planning permission is sought.

Main Issues

3. The main issues are the effect of the proposed development on (i) the character and appearance of the local area; and (ii) the living conditions of neighbouring occupiers with regards to privacy and outlook of occupiers of the appeal site with regards to light levels.

Reasons

Character and appearance

4. The appeal site is a two-storey, mid-terrace dwelling in a suburban residential area characterised by modest front gardens which slope steeply downwards towards the front elevations. These front gardens predominantly feature soft landscaping, resulting in a pleasing suburban character.
5. Due to the topography of the area the appeal dwelling, like others in the vicinity, is set at a lower level than the public highway.
6. The appeal scheme has introduced a flat, hardstanding surface across the full width of the front garden at the appeal site. This area is level with the public highway but above the height of the ground floor windowsill at the appeal site, obscuring the front elevation of the appeal property and creating a basement effect on the host dwelling.

7. Whether or not the appeal scheme is intended to provide a patio area, bin storage, off-street car parking or a mix of those uses, the use of concrete blocks and infill across the width of the front garden has resulted in a prominent and unattractive feature that detracts from the suburban character of the area.
8. The appeal scheme is open in nature when viewed from the public highway. However, the lower height of the built form of the appeal dwelling and its adjoining neighbours means the appeal scheme has created an urbanising and enclosing effect from the perspective of those dwellings.
9. The benefits of having this flat area for use by the occupants, the comparative prominence of the dwellings and the alignment of the building line does not alter my conclusions.
10. In coming to this view, I have taken into account the fact that neither the appeal site nor the local area are designated heritage assets. I also consider that a condition covering drainage and increasing the amount of soft landscaping would not be sufficient to overcome the harm identified above.
11. I therefore conclude that the development is harmful to the character and appearance of the host building and the local area. Consequently, the scheme is contrary to Policies CP9, DM35 and DM36 of the Wycombe District Local Plan (Adopted August 2019). These policies seek to ensure - amongst other matters - that developments are of high-quality design which respects and improves on existing character, creating positive and attractive buildings and spaces.
12. The scheme is also contrary to the Householder Planning and Design Guidance Supplementary Planning Document, Adopted January 2020. This guidance seeks to ensure amongst other matters that areas of soft landscaping in front gardens are retained.

Living conditions

13. The proximity of the appeal scheme to the entrance of No.3 Bushey Close has resulted in an oppressive and overbearing built form at the boundary of the site. The use of the hardstanding area to accommodate patio furniture, parked cars or bin storage would exacerbate this issue further.
14. The height of the appeal scheme also brings the area of hardstanding to unacceptably close proximity of the first-floor windows, intruding on the privacy of the occupants of No.3.
15. In addition, the height of the appeal scheme and its close proximity to the ground floor windows of the host dwelling impacts negatively on light levels, notwithstanding the orientation of the front elevations of the houses, resulting in an oppressive effect for occupiers at the appeal site.
16. I therefore conclude that the development is harmful to the living conditions of neighbouring occupiers with regards to privacy and outlook and occupiers of the appeal site with regards to light levels. Consequently, the scheme is contrary to Policies CP9, DM35 and DM36 of the Wycombe District Local Plan (Adopted August 2019). These policies seek to ensure - amongst other matters - that developments protect the living conditions of neighbouring dwellings and future occupants.

Conclusion

17. For the above reasons, the proposal would conflict with the development plan and there are no material considerations that indicate that the decision should be made other than in accordance with it. Therefore, for the reasons given, the appeal is dismissed.

J Wellstead

INSPECTOR