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# Appeal Decision

Site visit made on 12 December 2023

**by C Carpenter BA MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24 January 2024**

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**Appeal Ref: APP/K0425/W/23/3323440**

**7 Hardenwaye, High Wycombe, Buckinghamshire HP13 6TW**

- 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 Shafiq Hussain against the decision of Buckinghamshire Council.
  - The application Ref 22/07750/FUL, dated 10 October 2022, was refused by notice dated 6 December 2022.
  - The development proposed is described as "House conversion into 3No x 1 bed flats".
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. The National Planning Policy Framework (the Framework) was updated in December 2023, during the course of this appeal. I invited the parties to consider whether the revised Framework had relevance to this appeal and have taken account of their comments in my decision.

## Main Issues

4. The main issues are:
  - the effect of the proposal on the character and appearance of the surrounding area; and
  - the effect of the proposal on the living conditions of neighbouring occupiers, with particular reference to privacy.

## Reasons

### *Character and appearance*

5. The area surrounding the appeal site is residential. Although well connected, it is located some distance from the main commercial centre of High Wycombe. It comprises mostly semi-detached houses of a modest scale, some of which have been extended and/or include outbuildings. On the evidence before me, including my observations on site, the houses near the appeal site appear to be

predominantly occupied as single-family dwellings. Their generally spacious rear gardens provide space for household leisure activities, including children's play. Overall, the area has a family-oriented, suburban character.

6. The conversion of 7 Hardenway from a single-family dwelling house to three one-bedroom flats would create accommodation suitable for small, one or two person households rather than families. The level of comings and goings generated by three small households would generally be more intense than that generated by a single family, notwithstanding that the existing house has five bedrooms. The rear garden space at the appeal site is already constrained by a large outbuilding. This space would be further subdivided, resulting in a very cramped layout unlike the more spacious suburban rear gardens typical of the area. Overall, the proposed accommodation type and associated activity would be incongruous in the neighbourhood, to the detriment of its mostly family-oriented character.
7. I accept the proposed development would not materially alter the external appearance of the host dwelling when viewed from the street. Existing extensions mean it is already somewhat different in appearance to other houses nearby. I also note the existing outbuilding would be used for storage. Nevertheless, the more intense use of the premises and cramped rear layout would be observed from the surrounding public realm and/or from some neighbouring gardens. These changes would harm the character and appearance of the surrounding area.
8. I note the objective in WDLP's spatial strategy to optimise the use of previously developed land. However, this strategy also seeks design that responds holistically to place and creates a quality environment. For the reasons given above, the proposed development would not achieve these objectives.
9. For the above reasons, I conclude the proposal would have a harmful effect on the character and appearance of the surrounding area. This is contrary to Policies CP9 and DM35 of the Wycombe District Local Plan 2019 (WDLP), which require development to achieve a high quality of design that responds positively to its context and respects the distinctive character of the area. It is also contrary to the Framework, where it seeks development that is sympathetic to local character.

### *Living conditions*

10. The proposed modestly sized first-floor balcony would be close to the boundary with the adjacent dwelling on Walton Drive. Without screening, users of the balcony would overlook that house's rear garden. However, I am satisfied the proposed obscured glass screen would provide sufficient mitigation for this harm. This could be secured by condition were the appeal to be allowed. On the evidence before me, I am also satisfied the appeal property's existing rear extension and outbuilding, and other houses' outbuildings, would adequately screen views from the balcony towards the rear gardens of other existing dwellings.
11. I therefore conclude the proposal would not have a harmful effect on the living conditions of neighbouring occupiers, with particular reference to privacy. Accordingly, I find no conflict with Policies CP9 and DM35 of the WDLP, which together require development to prevent significant adverse impacts on the

amenities of neighbouring land and property. I also find no conflict with the Framework, where it requires a high standard of amenity for existing users.

### **Other Matters**

12. The proposed parking layout for four cars would regularise the current informal parking arrangements at the front of the house, with associated landscaping. The new porch would slightly increase natural surveillance in the street. I give these benefits limited weight.
13. The proposed development would make a small contribution to the overall supply of housing, and to the local economy during construction and through future occupiers' use of local services and facilities. This accords with the Framework where it seeks to increase the supply of housing and support economic growth. However, as only two net additional dwellings are proposed, I give these social and economic benefits limited weight.
14. It has been put to me that the proposal is supported by paragraph 70 of the Framework, particularly sections b) and d). I accept the appeal site is a small windfall site and that the development could be built out relatively quickly. However, there is no pertinent evidence before me that the proposal involves community-led development, self-build or custom-build housing. Section d) of paragraph 70 refers to the benefits of using 'suitable' sites within existing settlements for homes and, for the reasons given above, I consider this site not to be suitable for the development proposed in this appeal. Consequently, I give paragraph 70 of the Framework very little weight.
15. The Council is satisfied with the effect of the proposal on the living conditions of future occupiers and on highway safety and has raised no concerns regarding flood risk or ecology. On the evidence before me, I see no reason to disagree with these conclusions. However, an absence of harm in these regards is a neutral factor.
16. Individually or cumulatively, the benefits of the proposal identified above would not outweigh the harm to the character and appearance of the surrounding area I have found.

### **Conclusion**

17. I have found the proposal would have a harmful effect on the character and appearance of the surrounding area, although it would not harm the living conditions of neighbouring occupiers.
18. Consequently, the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

*C Carpenter*

INSPECTOR