



Appeal Decision

Site visit made on 16 July 2024

by Nick Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st July 2024

Appeal Ref: APP/K0425/W/24/3336550

43 Wheeler Avenue, Tylers Green, High Wycombe, Bucks HP10 8EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mrs R Morton against the decision of Buckinghamshire Council.
 - The application Ref is 23/07742/PIP.
 - The development proposed is the erection of new dwelling house(s) within the sites side garden.
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Decision

1. The appeal is allowed and permission in principle is granted for the erection of new dwelling house(s) within the sites side garden at 43 Wheeler Avenue, High Wycombe, Bucks HP10 8EB in accordance with the terms of the application, Ref 23/07742/PIP, and the plans submitted with it.

Preliminary Matters

2. The proposal is for permission in principle and this route has two stages. The first stage establishes whether a site is suitable in-principle, and the second (for technical details consent) stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent if permission in principle is granted. I have determined the appeal accordingly.
4. The description of development given on the application form and repeated in the banner heading above was not clear on the number of dwellings for which permission in principle was sought. However, the detailed application material nominates one or two dwellings and this is reflected on the Council's decision notice. I have therefore considered the appeal on the same basis.
5. The National Planning Policy Framework (the Framework) was revised in December 2023. As the changes do not materially affect the main issues in this case, the parties have not been invited to make further comments.

Main Issues

6. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Reasons

7. The appeal site is set within a built-up area and the Council accepts that this is a sustainable location. The local area is almost exclusively residential. In this regard, the location and land use for the proposed development must therefore be regarded as acceptable.
8. Wheeler Avenue and other nearby roads are heavily characterised by detached houses. The plots for these houses do vary but are commonly quite generous. The overall size of the houses and arrangement on their plots varies and this results in a layout which is typically quite spacious but is interspersed by some homes being in quite close proximity to each other. This arrangement means that back and side gardens, small areas of landscaping within the estate, together with some neighbouring land uses with little development, contribute to a generally spacious feel.
9. The appeal site is an example of one of these open areas, created due to the wide side garden and somewhat unconventional relationship with the neighbouring home at 41a Wheeler Avenue. This overall layout and the juxtaposition with this neighbour does give me some pause in terms of considering how even one new dwelling, let alone two dwellings, could be satisfactorily accommodated on the site. In this respect, I do note the views of the Council and the potential effects of the development on the street scene and consequently on the character and appearance of the area.
10. However, I am required to be mindful that this application is for permission in principle, and it is not an application for planning permission. There is a possibility that the amount of new development proposed could be accommodated on the site and it is not my role here to consider this any further.
11. Accordingly, I must conclude that the location, land use and the amount of development would be acceptable and thus the proposal complies with policies CP9 and DM35 of the Wycombe District Local Plan 2019 and Residential Design Guidance 2017. These policies require development to deliver a distinctive high quality sense of place which would improve the character of the area and the way it functions.

Other Matters

12. I am mindful of the comments of neighbours and other interested parties, particularly insofar as it relates to the character and appearance of the area. I am cognisant of these concerns and share many of them. However, as noted above, this is an application for permission in principle. The grant of such permission does not necessarily lead to the subsequent grant of technical details consent. Matters including the effect of the development on the character and appearance of the area will be given a substantially greater degree of scrutiny at this juncture.

Conditions

13. As set out within the Planning Practice Guidance, it is not possible for conditions to be attached to a grant of permission in principle and therefore none are imposed here.

Conclusion

14. The development is for permission in principle and the location, land use and the amount of development is acceptable. Therefore, for the reasons given above the appeal should be allowed.

Nick Bowden

INSPECTOR