



Appeal Decision

Site visit made on 18 June 2024

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 August 2024

Appeal Ref: APP/K0425/W/23/3329484

Wooburn House, Boundary Road, Loudwater, Buckinghamshire HP10 9EG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr R Laly against the decision of Buckinghamshire Council - West Area (Wycombe).
 - The application Ref is 22/07310/FUL.
 - The development proposed is for the construction of two additional floors to create 9 x flats with associated parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 30 July 2024 the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework) and other changes to the planning system. Whilst a direction of travel has been outlined within the Written Ministerial Statement, which is a material consideration, the changes to the Framework can only be given limited weight at this stage, given that no final document has been published.
3. In any event, the policies that are material to this decision are not subject to any fundamental changes, and I am satisfied that this has not prejudiced any party. Consequently, in reaching my decision I have therefore had regard to the Framework published in December 2023, and any reference to paragraph numbers are to this version.

Main Issues

4. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - the living conditions for future occupiers with regard to accommodation standards.

Reasons

Character and appearance

5. The appeal site adjoins Boundary Road (A4094) in Loudwater, close to an elevated section of the M40. The topography is undulating, and the site slopes up and away from the roadside with Flackwell Heath golf club raised further up behind it. The surrounding area has a mixture of larger commercial buildings located around the appeal site, with smaller and more domestic scaled dwelling

- houses located further to the east. Overall, the area has a mixed-use appearance.
6. The appeal site was originally designed for office use, although the use is now residential¹. Whilst the appeal site is currently in residential occupation, visually this property and the adjoining units either side provide a harmonious cluster of buildings, which have a distinct commercial appearance, reflecting their original function.
 7. Notwithstanding the commercial feel, the cluster of buildings have been designed as two-storey developments with large, hipped roofs. As such, despite their larger scale, the visual appearance of these buildings provides a sympathetic arrangement with the more traditional and domestic style of dwellings to the east of the site. Consequently, the scale, form, layout and design of the existing properties provide a respectful and cohesive group within the surrounding area.
 8. The proposal seeks to replace the hipped roof with two new storeys to create 9 additional residential units with a flat roof. Taken in isolation the two additional floors would not significantly increase the overall height of the building. However, the flat roof form, coupled with the railings and centrally positioned staircase, contained within the external box shaped structure, would provide additional bulk and mass at the roof level that would be discordant within the surrounding area.
 9. The increased built form extending from the existing eaves level would result in a bulky addition to the roof of the building that would detract from its scale and proportions. Furthermore, given the lack of a set-back at roof level to reduce the overall impact, the proposal provides a stark treatment and utilitarian appearance at the upper level, which would be readily apparent in views of the building given its relatively prominent location on the approach to Loudwater from the west.
 10. I acknowledge that there is diversity in the built form within the area, and indeed there are other flat roofed buildings within the vicinity, including the units opposite the appeal site. However, these units whilst commercial in appearance are generally only two-storeys and thus more compatible with the domestic scale and appearance of the area, unlike the four-storey proposal. The overall effect of the proposed roof additions at the appeal would be to create a visually bulky building that would be conspicuous along Boundary Road. Whilst it is acknowledged that the street trees could limit some views of the proposal, this would be diminished in the winter months when there is less foliage.
 11. The fenestration proposed in the additional storeys would be consistent with the positioning and scale of the windows on the existing building, which would provide some balance to the built form of the host property. However, this would not adequately overcome the overall result of the proposed roof form which would be of a bulk, mass and design that would be harmful to the character and appearance of the host property and area in general.
 12. I am mindful of the Frameworks support to upward extensions, however, the Framework also seeks developments that are well designed, including

¹ Buckinghamshire Council - West Area (Wycombe) Planning Ref: 14/06577/PAJ

complying with any local design policies and standards, and are sympathetic to local character, including the surrounding built environment, while not preventing or discouraging appropriate innovation or change (such as increased densities). Policies CP9 and DM35 of the Wycombe District Local Plan (WLP), adopted August 2019, also seek development to achieve high quality design to be appropriate in character, scale, form, layout and detailed design of buildings, and the structures and spaces around them, amongst other things.

13. Whilst I would acknowledge that the proposal would optimise previously developed land, and that the increase density would also optimise the use of land in accordance with these parts of Policy CP9, overall, the proposed development would fail to respond positively to the existing built environment and thus would not respect the distinctive character of the area.
14. Consequently, the proposal would harm the character and appearance of the established pattern of development and the visual qualities of the street scene, contrary to paragraph 135 of the Framework, WLP Policies CP9 and DM35 and the aims and objectives of the Wycombe District Council – Residential Design Guidance, adopted June 2017.

Living conditions

15. The details on the submitted plans are inconclusive pertaining to the proposed amenity space at the roof level. Specifically, there is inconsistency between the submitted drawings with reference to the railings around the flat roof and the box shaped structure containing the centrally positioned staircase. Nevertheless, all parties have made representations in respect to the use of the roof as an amenity area. Therefore, I am satisfied that no injustice would occur should I determine the appeal on the basis of the submitted information.
16. WLP Policy DM35 requires new development to provide amenity for future occupants appropriate to the proposed use, however there are no minimum standards which could act as a benchmark for the design quality. Nevertheless, I share the Council's concerns in respect to the lack of information regarding the amenity area. I have been presented with no precise detail as to whether the roof top could accommodate a terrace, and I have little information in respect to how this area could be used, such as whether there are areas for sitting outside, for drying of washing, for storing equipment or for children to play outside.
17. Furthermore, there is a lack of detail in respect to accessibility and the provision of storage facilities for refuse and cycles. Potentially the appeal proposal could utilise refuse and cycle storage areas which serves the existing units at the appeal site. However, I have been supplied with little information in respect to either the required refuse or cycle storage capacity or any deficiency in the existing storage capacity at the site. Had I otherwise found the proposal to be acceptable, conditions could have been attached to secure further details of these facilities.
18. Nevertheless, given the lack of information I find the proposal would conflict with the relevant sections of WLP Policies CP9 and DM35, and paragraph 135.f) of the Framework, which collectively seek, amongst other things, to achieve high quality development and a good standard of amenity for future occupants of buildings.

Conclusion

19. For the reasons set out above, the proposal would conflict with the development plan, when read as a whole and the Framework. Material considerations do not indicate that a decision should be taken other than in accordance with that plan. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Robert Naylor

INSPECTOR