



Appeal Decision

Site visit made on 22 October 2024

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 11 November 2024

Appeal Ref: APP/K0425/W/24/3346331

1 and 3 Hampden Road, High Wycombe HP13 6SZ

- 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 M Ellington & Mrs D Corcoran against the decision of Buckinghamshire Council (Wycombe Area)
 - The application Ref is 23/07906/FUL.
 - The development proposed is new front extension at No.1; 2 no. new dormers on front elevation; single & two storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's fifth reason for refusal relates to the lack of information to determine whether the development proposed would have a harmful impact on protected species, and particularly bats. With their appeal, the appellants have submitted a Preliminary Roost Assessment Report dated February 2024, together with an Emergence and Activity Bat Survey Report dated May 2024, both by Cherryfield Ecology.
3. The Council has raised a concern that these reports have been prepared and submitted after the refusal and have argued that the appeal process should not be used to develop a scheme. However, as the reports have been undertaken specifically to seek to address one of the reasons for refusal and the Council has had the opportunity to and has commented on the reports undertaken, I am satisfied that they can be taken into account. I shall revert to this issue below.

Main Issues

4. The main issues in this appeal are:
 - The effect of the proposed developments on the character and appearance of the existing dwellings and of the local area,
 - The effect of the proposed development at No 1 Hampden Road on the living conditions of the neighbours of the adjacent property, Rowan, with particular regard to outlook,
 - The effect of the proposed development on parking provision, and

- The effect of the proposed development on interests of ecological importance.

Reasons

- *Character and Appearance*

5. The appeal site relates to a pair of semi-detached properties on the west side of Hampden Road and within a predominantly residential area, including a mix of both detached and semi-detached properties.
6. The land slopes steeply from east to west so that the appeal properties appear as two storeys at the front and three storeys at the rear. No 3 also has a rear dormer with accommodation in the converted roof space and No 1 has roof lights in its rear roof slope. No 3 also has a rear single storey extension at lower ground floor and both properties have sizeable outbuildings to the rear.
7. The existing rear extension to No 3 and the outbuilding to No 1 and the garage at No 3 would be removed, leaving the existing detached garden room at No 3. The proposal would seek to introduce a rear extension over two storeys (lower ground and ground floors) with a staggered rear building line, under a flat roof. On the basis of the Council's calculations the extensions at lower ground and ground floor would extend between 5m and 10m from the existing rear elevations to the main houses, with the lower ground floor to No 1 being 10m and also extending beyond the side of the property by approximately 1.4m.
8. The flat roof over the ground floor at No 1 would serve as a terrace with privacy screens proposed to the sides and steps leading down to the rear garden. Side facing windows would be obscure glazed.
9. There would be the addition of front dormers to each property to serve accommodation at roof level. At No 1, a small front extension would be added to provide a WC.
10. There is no objection in principle to the renovation and extension of these two properties given their location within an existing residential area, but my assessment is based on the proposals before me.
11. The proposed rear extensions would be very sizeable additions at the rear in terms of their overall length and their height over two storeys. The rear extension at No 1 would appear to be completely out of proportion with the scale and form of the existing dwelling. I do not share the Council's concerns regarding the staggered depths to the lower ground floor rear extensions, which would assist in breaking up the massing of the proposed additions. However, taken together, the combined depth and height of these rear extensions would add significant bulk and massing which would be disproportionate to and overwhelm the scale and massing of the existing dwellings. This would be exacerbated at No 1 given that the extension over two storeys would be wider than the existing house.
12. The proposed flat roofs above the extensions at lower ground and ground floors, given their depth and width across the two properties would be discordant elements and not in keeping with the scale and proportions of the existing dwellings. The proposed design would contribute to the overly cumbersome and bulky forms of the resultant dwellings which would be out of keeping with the proportions of the existing dwellings.

13. I have taken into account the removal of the two outbuildings, which are sizeable as existing, and particularly at No 1. However, they are separate from the existing buildings with garden space around them and do appear ancillary in form and scale to the main dwellings. In comparison, the overall massing and proportions of the proposed rear extensions would overwhelm the form and design of the existing buildings. Their bulky and cluttered form would detract from the character and appearance of the existing dwellings.
14. The front dormers would be well designed and proportionate in scale to the front roof slopes. The proposed small scale front extension to No 1 would have similar proportions to and match the existing porch at No 1. These proposed features would also respect the character and appearance of the local area, where, albeit not widespread, small porches and dormers are found in the street scene.
15. Although mainly to the rear, part of the proposed extension to No 1 would be seen from the front, and when approaching along Hampden Road from the south. In such views the overall depth, bulk and massing of the proposed extensions, and in particular the deep flat roofed rear element would appear as a discordant feature in relation to the scale of the existing dwelling and in the street scene.
16. Although some of the proposed elements, particularly to the front of the properties would respect the character and appearance of the properties and the street scene, they do not outweigh the harm I have concluded from the scheme proposals taken as a whole, and in particular the extensions at the rear. The proposed development would harm the character and appearance of the existing properties and of the local area. This would conflict with Policies CP9, DM35 and DM36 of the Wycombe District Local Plan adopted 2019, (Local Plan), the Council's Householder Planning and Design SPD adopted 2020, (SPD) and the National Planning Policy Framework (Framework) and in particular Section 12, all of which amongst other matters, seek a high quality of design which respects the local context.
17. The appellants consider that the guidance in the SPD is overly prescriptive, but the SPD is clear that it has been prepared as guide to help householders considering extending or altering their homes and provides further detail in relation to the design related policies in the Local Plan. As an adopted SPD it is a material consideration in my determination of this appeal.

- *Living Conditions*

18. To the south of No 1 is a detached property, Rowan which is set at a lower level to the appeal properties. There are existing side windows at No 1 facing towards this neighbouring property as well as a rear open staircase leading to a small terrace. In this regard the proposal which would introduce obscure glazing to the side facing windows and privacy screens to the proposed rear terrace would improve the existing situation for the neighbours at Rowan in terms of overlooking and loss of privacy.
19. The existing outbuilding which runs along the common boundary would be removed. However, this has a roof form which angles away from the common boundary and there is an open gap between the main dwelling and the outbuilding. The scale and massing of the proposed extension would result in a continuous solid form of development extending rearwards from the existing

dwelling at No 1 and I consider that this would be overwhelming for the neighbours at No 1 in terms of outlook from windows at the side towards the rear, and related amenity space.

20. The proposed development would materially harm the living conditions of the neighbours at the adjacent property, Rowan, with particular regard to loss of outlook. This would conflict with Policies DM35 and DM36 of the Local Plan and the SPD as well as the Framework and in particular paragraph 135f) all of which amongst other matters seek a high standard of design which respects the amenities of existing and future occupants.

21. I have noted that no objection has been received from these neighbours, but the development, if permitted, would also endure for future residents.

- *Parking Provision*

22. The submitted plans indicate the provision of off-street parking spaces but the spaces would be sub-standard in terms of their dimensions and as a result would not meet the standards set out under the Buckinghamshire Countywide Parking Guidance 2015 (Parking Guidance). The standards are based on habitable rooms rather than bedrooms.

23. I do not agree with the appellants that the standards do not apply to the type of proposal the subject of this appeal and the Guidance, including at page 20, specifically refers to changes to existing properties, including extensions. Increasing the size of a dwelling, particularly through the addition of either habitable rooms or bedrooms may lead to the requirement for a higher number of parking spaces.

24. The Guidance is clear that where the provision would deviate from the standards set out, the proposals must be supported by evidence detailing the local circumstances that justify the deviation. The Council has referred to parking on Hampden Road being heavily restricted but there is no further analysis from the appellants to demonstrate that the parking proposed would be adequate to serve the development proposed without exacerbating on-street parking pressures or leading to highway and pedestrian safety issues.

25. On the basis of the limited information before me, I am not satisfied that there would be adequate off-street parking provided potentially leading to on-street parking pressures and highway and pedestrian safety issues. This would conflict with Policy DM33 of the Local Plan as well as the advice set out in the Parking Guidance.

- *Protected Species*

26. The appeal submission was supported by a Preliminary Roost Assessment Report dated February 2024, together with an Emergence and Activity Bat Survey Report dated May 2024, both by Cherryfield Ecology. As a result of the first report, emergence surveys were undertaken in May 2024 which have indicated that whilst there are commuting bats using the gardens and surrounding area, there was no evidence of roosting bats in the main dwellings or outbuildings. The reports make a number of recommendations in respect of mitigation and enhancement.

27. Subject to the imposition of appropriate conditions to address the mitigation and enhancement measures set out in the reports, I am satisfied that there

would be no harm to interests of ecological importance, with particular reference to bats. There would be no conflict with Policy DM34 of the Local Plan, Policies DM13 and DM14 of the Council's adopted Delivery and Site Allocation Plan (2013) as well as the Framework and in particular Section 15, all of which seek to protect and enhance biodiversity, including protected species.

Other Considerations

28. I have taken into account that the proposal before me followed on from a previous scheme following its withdrawal. However, my consideration is based on the planning merits of the scheme before me.
29. The appellants have contended that the extensions would secure dwellings which meet modern standards for contemporary family life. However, I am not persuaded that these benefits would outweigh the harm I have found.
30. The appellants have referred to potential permitted developments that could be undertaken at the properties, but no such schemes are before me, and my assessment is necessarily based on the proposals before me.

Planning Balance and Conclusion

31. I have found that subject to the imposition of appropriate conditions there would be no harm to biodiversity objectives with particular regard to the protection and enhancement of protected species. However, this finding would not outweigh the harm I have concluded to the character and appearance of the existing properties and to the local area, the living conditions of neighbours at the adjoining property, Rowan and to parking provision in the local area.
32. The proposal would not accord with the development plan and there are no other material considerations to override this finding. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR