



Appeal Decision

Site visit made on 3 June 2025

by **SE Hughes BA (Hons) PGDip MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 July 2025

Appeal Ref: APP/K0425/W/24/3355416

28 Castle Street, High Wycombe, Buckinghamshire HP13 6RG

- 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 Mehrdad Rahimian of Scandia Care Ltd against the decision of Buckinghamshire Council.
 - The application Ref is 24/05816/FUL.
 - The development proposed is a change of use of ground floor retail unit to form 1-bed flat.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed change of use on the town centre's vitality and viability.

Reasons

3. The appeal concerns a small commercial unit which has a ground floor shopfront. It is located in the east end of Castle Street in the 'primary shopping area' of High Wycombe. Apart from the appeal site and 50 Castle Street, the south side of the east end comprises a continuous row of occupied units, including food outlets, a barber and a newsagent/convenience shop. As such, the overall character of this side of the east end is commercial. The opposite, north side of the east end has a predominantly residential character.
4. The premises was last used as a restaurant, a 'Class A use' under the former provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended).
5. To secure the vibrancy of the shopping centre, policy CP6 of the Wycombe District Local Plan (WDLP) and policies DM7 and DM8 of the Adopted Delivery and Site Allocations Plan (AP) are supportive of 'main town centre uses' which are defined as retail development, leisure and entertainment facilities, more intensive sport and recreation uses, offices, and arts, culture and tourism development. In addition, policy HWTC6 of the WDLP identifies the property's street frontage as being a secondary shopping frontage. Policy HWTC6 indicates that an active frontage should be retained and that there should be no net loss of frontage length in 'Class A use'.
6. The change of use would withdraw a small commercial unit from the primary shopping area, replacing it with a residential use. No evidence has been provided

to confirm that it would not lead to a net loss in the town centre's secondary shopping frontage. Whilst it would bring a vacant unit back into use and would retain an obscured shop window and blank signage board above it, it would be a dead frontage, contrary to the aim of policy HWTC6 to retain active frontages.

7. The change of use would reduce the east end of Castle Street's supply of commercial premises, which would lessen its appeal to shoppers and other town centre visitors, which would consequently undermine the vitality and viability of the primary shopping area. Furthermore, the proposal's impact on the retail offer would be heightened due to the predominance of residential uses opposite. As such, given that there should be no net loss of Class A uses from the secondary shopping frontage, the proposed change of use fails to accord with policy HWTC6.
8. Whilst I note the unit's occupancy history, including that it has stood empty since 2023, there is no compelling evidence before me, such as detailed viability evidence specifically for the unit, or past marketing, to demonstrate that the unit could not accommodate a 'main town centre use' in keeping with the provisions of the development plan. Also, given that the unit was last used as a restaurant, and I saw that there are a number of operative restaurants and takeaway food outlets on Castle Street, including in similar sized units, I am not persuaded that its size or location renders it unsuitable for a 'main town centre use'.
9. In view of the above, I conclude that the proposed change of use would harm the vitality and viability of the town centre, contrary to policies CP6 and HWTC6 of the WDLP and policies DM7 and DM8 of the AP and the National Planning Policy Framework.
10. In arriving at this conclusion, I have taken into account the changes to the GDPO since the adoption of the above policies and the evidence in the appellant's appeal statement regarding the oversupply of commercial units, including vacant units on the corner of Castle and Corporation Street and the proposals for Chilterns Shopping Centre. However, in the absence of evidence specifically related to the unit itself and the policy conflict I have identified, this has not persuaded me against my decision.
11. I have also considered the residential planning approvals in Castle Street cited by the appellant. However, I note that they are sited on the opposite side of the street which has a different residential composition. Furthermore, I do not have full details of the circumstances that led to planning permission being granted. As such, and in the context of my consideration above, these cases do not provide me with reasons to alter my decision.

Other Matters

12. I am aware that the Council had no design or transport and parking concerns. Furthermore, the Council is satisfied in relation to the proposal's compliance with the nationally described minimum space standards for a single occupancy dwelling and consider that subject to the condition requiring the submission of noise impact assessment, to ensure that adequacy of the internal living environment, that the development would be acceptable. Given that the condition could include the implementation of any required noise mitigation recommended in the noise impact assessment I see no reason to disagree with its conclusions. A condition could also be imposed to secure water efficiency in line with policy requirements. However, compliance in these respects carries neutral weight.

Conclusion

13. For the reasons given above the appeal should be dismissed.

SE Hughes

INSPECTOR