



Appeal Decision

Site visit made on 29 September 2025

By G Powys Jones FRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2025

Appeal Ref: APP/K0425/D/25/3369353

49 Fennels Way, Flackwell Heath, Buckinghamshire, HP10 9BX

- 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 Chris Finnis against the decision of Buckinghamshire Council.
 - The application Ref is 24/06134/FUL.
 - The development proposed are ground floor, first floor and two storey extensions to existing dormer bungalow.
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Decision

1. The appeal is allowed, and planning permission is granted for ground floor, first floor and two storey extensions to existing dormer bungalow at 49 Fennels Way, Flackwell Heath, Buckinghamshire, HP10 9BX in accordance with the terms of the application, Ref 24/06134/FUL, subject to the conditions set out in the accompanying Schedule.

Preliminary matters

2. The appeal property is a detached dormer bungalow standing on a corner plot within a pleasant residential area. It fronts Fennels Way, whilst alongside is Oakland Way, a private road, unmade in part.
3. Reference has been made to the planning history including an appeal¹, which was dismissed, and a more recent planning permission² granted by the Council in March 2025 for extensions and modifications to the dwelling. The latter permission remains capable of implementation and is material to my considerations attracting significant weight.
4. The current proposal involves some design changes to the scheme permitted earlier this year. The officer report clarifies that the Council has no objection to the revised scheme in terms of its effect on the character and appearance of the host property and its surroundings, and nor is it concerned that neighbours would suffer harm to their privacy or by loss of light. I have no reason to dispute the Council's view on these aspects.

Main Issue

5. The main issue is the effect of the development on the living conditions of the residents of 51 Fennels Way by reference to visual impact.

¹ Ref APP/K0425/D/24/3336297

² Ref 24/07724/FUL

Reasons

6. The Council's concern centres on the redesign of the approved scheme at its closest point to 51 Fennels Way. In this respect the accommodation provided would remain the same, on two levels, but the previously approved mansard type roof would be replaced by a gable roof of a more traditional or conventional appearance. The side wall closest to No 51 would remain on the same line, but a gutter feature would be introduced at eaves level which would project slightly closer to No 51 than the approved side roof profile.
7. The effect of the modified design in the Council's view would be to compromise the outlook from next door's habitable rooms closest to the proposal, giving rise to a tunnelling effect and causing adverse overbearing and intrusive harm.
8. I looked closely at the windows serving No 51's habitable rooms closest to the appeal proposal. One is a curved bay at the front of the property facing Fennels Way; there are two small secondary windows in the side elevation facing the appeal property; the fourth is well set back, being adjacent to No 51's front door.
9. In my opinion the outlook from these windows would not prove materially different whichever of the two schemes, the approved or the amended one before me, were implemented. The fine detail of that seen from the windows may change, but the general impact would not materially differ. Accordingly, if the Council is content that the permitted scheme would not cause harm, it logically follows, to my mind, that the appeal scheme would also not cause harm.
10. I conclude that the amended scheme would have no greater impact on No 51's living conditions in terms of visual impact than the scheme already found acceptable by the Council. Accordingly, I find no conflict with those provisions of policies DM35 & DM36 of the Wycombe District Local Plan directed to preserving the amenities or preventing development giving rise to significant adverse effects on the amenities of neighbouring property.

Conditions

11. It is necessary that the development is carried out in accordance with the approved plans, and a condition to this effect is therefore imposed in the interests of certainty. A condition in respect of materials is imposed in the interests of visual amenity.

Other matters

12. All other matters raised in the representations have been considered. Whilst not decisive in my considerations I note that no consultee, including the Parish Council and residents of No 51, objected to the proposal. No other matter is of such strength or significance as to outweigh the considerations leading to my conclusions.

G Powys Jones

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: The location and block plans and Drawing Ref: CF/01/24 Rev C.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.