



Appeal Decision

Site visit made on 9 September 2025

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2025.

Appeal Ref: APP/K0425/W/25/3368114

Shrublands Day Hospital, 47 Queens Road, High Wycombe, Buckinghamshire HP13 6AQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Mark Oates of Nearton End Ltd against Buckinghamshire Council Wycombe Area.
 - The application Ref is 25/05610/FUL.
 - The development proposed is described as '1.5 storey extension including mansard roof and replacement of the existing façade to provide an additional 12 apartments with associated car parking, cycle and bin stores, amenity space and landscaping with internal alterations to 5 apartments previously approved under PN 24/07900/PNPCR'.
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Decision

1. The appeal is dismissed and planning permission for 1.5 storey extension including mansard roof and replacement of the existing façade to provide an additional 12 apartments with associated car parking, cycle and bin stores, amenity space and landscaping with internal alterations to 5 apartments previously approved under PN 24/07900/PNPCR is refused.

Application for costs

2. An application for costs was made by Mr Mark Oates of Nearton End Ltd against Buckinghamshire Council. This application is the subject of a separate decision.

Preliminary Matters

3. The Council has confirmed that had it been in a position to determine the application, it would have refused planning permission. It has set out its putative reasons for refusal within its statement of case. These relate to concerns about character and appearance, harm to the setting of the High Wycombe Town Conservation Area (the CA), harm to neighbouring occupiers through loss of light, outlook and privacy, harm to highway safety and insufficient information about surface water drainage.
4. The Council subsequently confirmed that the scheme would provide satisfactory drainage following the withdrawal of the Local Lead Flooding Authority's objection to the proposal. I have proceeded to determine the appeal accordingly.

5. The appellant submitted an updated proposed site plan¹ showing 6 car parking spaces on the site as part of its appeal submissions. This amends the original site plan² which showed 3 car parking spaces. From the Transport Statement submitted at application stage, it is evident that the appellant had proposed parking options based on either 3 or 6 parking spaces. A swept path analysis showing 6 car parking spaces was also part of the application submissions. Both these options have been considered by the Council who does not agree that the 6 parking spaces meet required standards. Nevertheless, as this information was before the Council at the application stage, I have taken this into account. I have therefore proceeded to determine the appeal on the updated proposed site plan.

Main Issues

6. The main issues are:
- the effect of the proposed development on the character and appearance of the area;
 - whether the proposal would conserve or enhance the character or appearance of the conservation area, as development within its setting;
 - the effect of the proposed development on the living conditions of neighbouring occupiers, in respect of privacy, light and outlook; and
 - whether the proposal would provide sufficient parking, with particular regard to the effect on highway safety and convenience for local residents.

Reasons

Character and appearance

7. Queens Road is characterised by a mix of uses and development comprising traditional housing, interspersed with commercial, industrial and community use. Buildings are of differing ages and designs according to their uses, ranging in height from single to three-storeys.
8. Whilst of no architectural merit, the existing building is relatively unobtrusive in the streetscene due to its flat roof and single-storey elevation to Queens Road. As the land slopes down from Queens Road towards London Road in the south the existing building, having been built to accommodate the sloping topography, becomes two-storey. The proposal would involve the removal of some modest extensions to the building, including overhanging sections and a front extension. An additional floor and a steeply sloping mansard roof would extend over the entirety of the retained building.
9. The proposal would significantly increase the height, bulk and mass of the building. Viewed from Queens Road, it would present as a substantial structure, taller than adjacent buildings although not significantly. However, its steep pitched mansard roof extending almost vertically would make it appear significantly more bulky, out of scale and uncharacteristic when viewed in the context of the pitched roofs of these adjacent buildings. Despite being set back in the site, the enlarged building would nevertheless be prominent from Queens Road with both side

¹ Ref: 22.351 S03.20.07, attached as Appendix S to its 'Reply to the local planning authority's statement of case' dated 13 August 2025

² Ref 22.351 S03.20.08

elevations visible due to the gap between the building and those either side and the considerable depth of the building into the site.

10. The windows in the proposed extension would be inconsistent in size and layout with approved³ alterations to windows in the lower floors of the building. The inclusion of oriel windows serving rooms at first floor and roof level to the eastern elevation would also appear anomalous. Whilst the front and rear elevations would provide a more uniform approach, the visible side elevations would appear cluttered resulting in a poor quality appearance to the development.
11. The extended building, with its cubic form and large flat roofed mansard feature, would project vertically in a combination of render and dark cladding with poor articulation between the roof and lower floors. This would be particularly jarring adjacent to the traditional dwelling to its east. The appellant's Townscape Visual Impact Assessment (TVIA) and the photo montage do not lead me to a different finding in this regard. The resultant building would fail to contribute positively to the streetscene.
12. The additional height in combination with the building's elevated position would make it visually prominent from London Road where it would loom over nearby buildings to the south. This would be visible both from London Road as well as in longer distance views from the parkland beyond. It would also be visible in some views from Harlow Road to the west. From these locations, the uncharacteristic height of the building would be apparent, appearing significantly taller than surrounding development, with an incongruous flat roof and bulky form. Its prominent, tall and rectangular form would fail to integrate harmoniously within the townscape particularly when viewed from the south.
13. I observed other large-scale buildings along Queens Road, including a contemporary commercial building opposite the junction with Harlow Road and a recently built three-storey block of flats to the east at the Nag's Head. However, whilst large, that building is a similar height and scale to a block of flats adjacent to it. Moreover, it is also relatively enclosed by development with limited views of its side elevations. In this regard, it is not comparable to the appeal scheme.
14. I acknowledge that the existing building does not add to the streetscene and redevelopment of the appeal building provides an opportunity to enhance the streetscene along Queens Road. However, as proposed the scheme would fail to integrate satisfactorily with surrounding development, it would not be successful in its proposed form.
15. For these reasons, the proposal would cause substantial harm to the character and appearance of the area. It would therefore conflict with Policies CP9 and DM35 of the Wycombe District Local Plan 2019 (the LP) which together require new development to improve the character of the area, to create positive and attractive buildings, appropriate in scale that demonstrate a high quality of design.

High Wycombe Conservation area

16. The site lies on the northern edge of the CA, identified as 'The Rye Area Study 7' in the *High Wycombe Conservation Area – The Rye 2011* appraisal. This incorporates London Road and the parkland, The Rye, to the south. The rearmost

³ Council Ref: 24/07055/FUL

part of the site is located within the CA, whilst the existing building lies within its setting.

17. The open space of The Rye dominates the area, flanked by built development along London Road. It derives its significance from the character of the wide open space, which historically was used for pastureland but more recently for outdoor recreational activities. This space provides a pleasant backdrop for the houses lining London Road, providing a rural feel close to the town centre. As explained in the appraisal document, important views exist looking out over The Rye but long distance views in all directions across The Rye are also valued. The historic buildings along London Road and the skyline formed by development behind this, frame the open space and contribute to its significance. The appeal site, lying within the development behind London Road, forms part of this area but as currently developed with a low, unobtrusive building, makes a limited contribution either positively or negatively to the significance of the CA.
18. The proposed building would be more visible. However, this does not make it unacceptable in terms of its impact upon the CA or its setting. The TVIA provides photomontages of the proposed building. From this and my own observations on site, the proposal would introduce a substantial and incongruous building, visible as a backdrop to the buildings within the CA along London Road. Due to its height and rectangular appearance, it would be visible in longer distance views across The Rye, appearing behind the historic buildings along this stretch of London Road. In these views, its boxy and contemporary appearance with minimal visual articulation to its elevations, finished in render and slate-coloured metal would be unrelated to the traditional styling and materials of the historic buildings in front of it. Its uncharacteristic form would draw attention to it where it would appear as a discordant feature within the townscape.
19. Despite the varied built form both within the CA and its setting, the appeal proposal would become a dominant and jarring visual element due to its height, form and prominence. Trees along the northern edge of The Rye would provide some screening in long distance views but this would only be effective part of the year with the building being more visible during winter. It would therefore detract from the CA and harm would arise.
20. There are other modern buildings visible in views to the north from The Rye and within the setting of the CA. My attention has been drawn to Automotive House at 65-69 London Road, a substantial building with a mansard roof, recently granted permission for an extension to form a double mansard. However, the context of this building is different as it is located on the main thoroughfare where buildings are generally larger in scale than those set behind, including along Queens Road. Moreover, that approval represents a modest addition over what already existed on the site. This scheme does not justify the appeal proposal in terms of its impact upon the CA.
21. The Nag's Head redevelopment is reasonably well screened in views by the nearly continuous development on London Road. By contrast, there is quite a gap between buildings on London Road which provides relatively unobstructed views of the appeal site. The existing building is unobtrusive in these views due to its relatively low height. The proposal would significantly add to the height of this making it more prominent in views, considerably more so than other buildings upslope of the CA.

22. Pre-application advice⁴ was sought from the Council for an extension to the building. Unlike the appeal proposal, that scheme was for a building that stepped down towards the south and the CA. This was materially different to the appeal scheme which proposes a reduced footprint but a more significant extension across the entire building. The appeal scheme is significantly larger and a bulkier form of development that would be visually prominent and harm to the CA would arise from this.
23. For these reasons, I find that the development would fail to either preserve or enhance the character or appearance of the CA to which I am required to pay special attention under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal would result in less than substantial harm to the CA through unsympathetic development within its setting. It would therefore conflict with Policies CP9, CP11, DM31 and DM35 of the LP which together seek to conserve the historic environment, ensuring development within the setting of designated heritage assets conserves, and where possible, enhances the special interest of the asset.

Highway safety

24. Prior approval⁵ was granted for the change of use of the existing building from a day hospital to 8 residential apartments. The proposal would provide 12 additional apartments, all of which would be 1 bedroom.
25. Policy DM33 of the LP sets out that development is required to provide parking sufficient to meet the needs of future occupants and to ensure there is no significant adverse impact from overspill parking. The site lies within Zone A of the Buckinghamshire Countywide Parking Guidance (BCPG) which sets a requirement for 1 space per unit. The proposal would therefore generate a requirement for an additional 12 spaces. In total the residential use of the building would generate a requirement for 20 spaces.
26. There are currently 3 parking spaces on site. The scheme would provide 6 parking spaces. These would measure 4.8 metres in length which would not comply with the BCPG for spaces which is 5 metres length. Notwithstanding this, the Manual for Streets (MfS) provides guidance on suggested perpendicular parking arrangements which indicated that 4.8 metres would be suitable. In view of this, whilst the spaces may be slightly below the Council's standards, based on the MfS guidance and the submitted Swept Path analysis, I am satisfied that these would be useable spaces.
27. Consequently, the scheme would give rise to 14 overspill parking spaces. It was accepted as part of the prior approval scheme that overspill parking of 5 cars would not be harmful; thus my consideration is narrowed down to whether an addition 9 spaces would be harmful to highway safety.
28. Queens Road and the surrounding streets are within a controlled parking zone (CPZ) which restricts parking between 0900 and 1700 hours Mondays to Saturdays to a maximum of 4 hours. Parking permits are available for residents. Due to the presence of several vehicle crossovers to driveways and access points,

⁴ Council Ref: P121/00424/PADR

⁵ 24/07900/PNPCR

there are limited on-street parking opportunities along Queens Road and in surrounding streets.

29. No parking surveys have been submitted to demonstrate that there would be capacity within the area to accommodate this increase in parking demand. Residents have highlighted this as a concern. In the absence of substantive evidence, I cannot be certain that the additional parking would not result in inconvenience or highway safety issues from people driving around looking for spaces or parking inconsiderately giving rise to an increased risk of conflict between users of the highway.
30. The existing use of the building as a day hospital would generate a requirement for 25 car parking spaces. It is agreed that the proposal would not increase the level of displacement parking onto the highway compared to the authorised use. However, as the authorised and proposed uses are materially different, they would generate demand for parking at different times of day. The day hospital being operational between 0800 and 1700 hours would not result in overspill parking in the peak mornings, evenings and overnight when residents are likely to be home.
31. I accept that the hospital use was unrestricted, and it could have potentially given rise to additional parking at other times of day or overnight. That said, the use is not operational and there is nothing before me to suggest that it would be. Moreover, the appellant has agreed that the baseline for consideration of the proposed development is the extant prior approval for the change of use of the property into 8 apartments. I therefore attribute limited weight to this argument.
32. Harlow House was recently extended and redeveloped for residential use, 6 units through a prior approval and a further 3 units through a full planning application including an extension. It also had an existing lawful use that generated overspill parking. In that case, the Council's highway officer determined that the overspill parking from the residential use would be less than the existing use and therefore it was acceptable. However, that was in the context of 3 additional units. Whilst there are some similarities between the appeal scheme and the Harlow House development, the appeal scheme is significantly larger, providing a total of 20 units rather than 9, of which 12 rather than 3 would be additional units. This does not lead me to reach a different conclusion about the impact of overspill parking arising from the scheme before me which I have assessed on its own planning merits.
33. The location of the proposed development is close to the town centre with a range of services and facilities. Whilst this presents future occupants with alternative ways to travel without relying on private transport, this does not mean that they would not own a car. This does not therefore justify the shortfall in parking provision.
34. In view of the shortfall in parking provision and concerns about on-street capacity, the appellant submitted a unilateral undertaking (UU) under section 106 of the Town and Country Planning Act 1990 (as amended). This proposed to prevent future occupants of the flats from applying for parking permits and therefore not add to parking stress in the area. However, it has since been established and acknowledged by both parties that a UU could not lawfully or appropriately address this issue as it relates to land outside the appellant's ownership.

35. Consequently, I find that overspill parking for the proposed development would occur with resultant inconvenience and harm to highway safety. It would therefore conflict with Policy DM33 of the LP as referred to above. Other plans and guidance are referred to by the Council in its putative reason for refusal. However, copies of these have not been provided, nor the conflict with these explained. Moreover, as these are not part of the adopted development plan, I have not concluded against them.

Living conditions

36. There is a degree of overlooking from existing windows to properties either side of the appeal building at Nos 10 and 10A Queens Road, Nos 8 and 10 Harlow Road and towards Riversdale to the south. Windows facing towards Queens Road would be angled away from these properties through the introduction of oriel windows. This which would prevent overlooking. Separation distances between the appeal building and facing windows in the Harlow Road properties and a bedroom window in Riversdale would be around 25 metres, slightly less in the case of Riversdale.
37. I have not been provided with copies of adopted design guidance, but I have been referred to separation distances set out in these. A 25 metre separation distance is indicated as acceptable in the Wycombe Design Guide, a more recent design guide in relation to Aylesbury Vale, also part of Buckinghamshire Council, indicates 21 metres as appropriate. The scheme would appear to comply with these requirements.
38. However, the scheme proposes between 5 and 6 windows each at first and roof level serving living areas and bedrooms facing towards the Harlow Road properties and 2 additional windows facing towards the bedroom in Riversdale. These would be set at a level higher than neighbouring properties and would look down into rear facing windows and their private outdoor garden space. Notwithstanding the distance between facing windows, this would lead to an increased amount of overlooking, both actual and perceived, compared to both the existing and the recently approved scheme for alterations to windows in the ground and lower ground floor. This would significantly harm the living conditions of neighbouring occupiers.
39. The Council has raised concerns about the loss of light to Nos 8 and 10 Harlow Road which lie to the west of the appeal building. It has not differentiated between daylight and sunlight. The appellant submitted a daylight / sunlight report which it based on guidance set out in the BRE Report 'Site layout planning for daylight and sunlight: a guide to good practice' (BR209). This was subsequently updated to consider the Harlow Road properties. The only property identified through the appellant's assessments as being affected was a ground floor kitchen window to No 10 Queens Road which would experience more than a 20% reduction in daylight.
40. The assessment was a desk-based exercise which I am told used Ordnance Survey data amended using record drawings from the Planning Register. Whilst it provides some modelling of overshadowing, it does not provide plans showing the relationship between the proposed development and the windows of neighbouring properties, demonstrating how it has taken into account the topography of the area and how the 25 degree angle to the centre of the windows has been measured. It is possible that this may have resulted in different outcomes, particularly given that

the Council undertook its own assessment of such and found harm to the Harlow Road properties would arise. In view of this, I am unable to reach a firm conclusion that harm to the living conditions of these occupants would not arise through loss of light.

41. Through the increased bulk and height of the building and its position on sloping ground, the extended building would be overbearing when viewed from the modest two-storey Harlow Road properties and from the ground floor of Riversdale. The large size of the building close to these properties would cause some harm for these occupants. I have been referred to an opinion in the updated daylight / sunlight evidence that compliance with the BRE guidelines suggests that outlook from affected windows would be reasonable and not unacceptable. However, these are different assessments.
42. Drawing together my findings, the scheme would result in significant harm to privacy to Nos 8 and 10 Harlow Road and an occupier of Riversdale. On the evidence before me, I cannot be satisfied that the proposal would not adversely impact occupiers of Harlow Road properties through loss light. It would also cause a modest perceptible loss of daylight to a kitchen window in No 10 Queens Road. Added to this, harm to Harlow Road properties and Riversdale would arise through the overbearing nature of the building. For all these reasons, I conclude that the proposal would cause harm to the living conditions of neighbouring occupiers, through a combination of harm to privacy, loss of light and the overbearing nature of the development. It would therefore conflict with Policies CP9 and DM35 of the LP which require new development to achieve a high quality of design which contributes positively to making places better for people and to prevent significant adverse impacts on the amenities of neighbouring land and property.

Heritage Balance

43. I have found that the proposal would cause less than substantial harm to the significance of the CA. That harm falls towards the lower end of that scale. In accordance with the requirements of paragraph 215 of the National Planning Policy Framework (the Framework), this harm should be weighed against the public benefits of the proposal.
44. The Council cannot demonstrate a five year supply of deliverable housing sites. It is agreed that the figure is 1.98 years supply for the Wycombe area which represents a significant shortfall in supply. In the context of this, the provision of 12 additional dwellings would be a significant public benefit of the scheme. These dwellings would be in an accessible location for services and facilities without reliance on private transport. In addition, the proposal would make use of previously-developed land, re-using the existing building, therefore reducing carbon emissions from the development. The Framework sets out that substantial weight should be given to the value of using suitable brownfield land within settlements for homes such as would be the case here.
45. The scheme would be delivered by a SME housebuilder, operating in the local area, who has a track record of delivering dwellings quickly. Economic benefits would arise both during construction and the subsequent occupation of the proposed flats. The scheme would also deliver biodiversity net gain, indicated to be 31%, which would exceed the minimum requirement for this.

46. Taken together, all these public benefits are sufficient to outweigh the low level of less than substantial harm to the CA that I have identified, notwithstanding the considerable importance and weight I give to that harm.

Planning Balance

47. Since the Council does not have a five year supply of deliverable housing sites, the Council's policies for the delivery of housing are deemed to be out of date and the provisions of paragraph 11 d) of the Framework are applicable. I have determined that the application of Framework policies relating to designated heritage assets does not provide a strong reason for refusing the development proposed under paragraph 11 d) i). The proposal is therefore considered under the provisions of paragraph 11 d) ii).
48. I have outlined the benefits of the scheme in my heritage balance above. Cumulatively, these attract significant weight in the overall planning balance.
49. Weighed against this, the scheme would cause substantial harm to the character and appearance of the area and, notwithstanding my finding that the public benefits outweigh the harm, there would nevertheless be a harmful impact on the CA. The lack of sufficient parking would cause adverse impacts on highway safety as well as inconvenience to existing residents of the area. In addition, the proposal would cause significant harm to the living conditions of neighbouring occupiers, through loss of privacy, light and its overbearing impact. Taken together, these amount to substantial harm and I attach considerable weight to this.
50. The scheme would not deliver affordable housing due to viability. It would also make adequate provision in terms of living conditions, flooding and drainage. Other matters including use of renewable technologies and building sustainability could be secured through planning conditions. These are neutral factors in the balance.
51. My finding is therefore that the adverse impacts of approving the proposed development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Consequently, the presumption in favour of sustainable development does not apply.

Conclusion

52. For the reasons given above, the proposal conflicts with the development plan as a whole and there are no material considerations, including the Framework, that indicate that a decision should be made other than in accordance with it. I therefore conclude that the appeal should be dismissed and planning permission refused.

Rachael Pipkin

INSPECTOR