



Appeal Decision

Site visit made on 8 December 2025

by Barry John Lomax MPLAN (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2026

Appeal Ref: APP/K0425/W/25/3374150

Land Adj 24A Butterfield, Wooburn Green HP10 0PX

- 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 Andrews against the decision of Buckinghamshire Council - West Area (Wycombe).
 - The application Ref is 25/06308/FUL.
 - The application was refused by notice dated 19 August 2025.
 - The development is described as Conversion of domestic Garage (C3) to form a single dwelling house with associated soft and hard landscaping.
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Decision

1. The appeal is allowed, and planning permission is granted for the conversion of domestic Garage (C3) to form a single dwelling house with associated soft and hard landscaping, subject to the attached schedule of conditions.

Preliminary Matters

2. As part of the appeal, the appellant has submitted 2 supplementary plans¹, which comprise a 3D visual and a plan showing the proposed development in the context of the street scene. The additional information does not amend the proposal and therefore does not represent a fundamental change or introduce a substantial difference to the scheme which has already been subject to public consultation. I do not consider that any interested party would be prejudiced by my acceptance of the additional information for the purposes of determining this appeal.

Main Issue(s)

3. The main issues are:
 - the effect of the development on the character and appearance of the area; and,
 - whether the proposed development would provide appropriate living conditions for future occupiers with regard to privacy.

Reasons

Character and appearance

¹ Ref PROPOSED BUNGALOW 3D VISUALS – 25_32_10 and PROPOSED BUNGALOW STREET SCENE AND SECTIONS – 25_32_11).

4. The appeal site lies within a predominantly residential area of a medium-density, with a distinctly semi-rural backdrop created by mature trees, hedgerows and boundary planting.
5. The properties immediately surrounding the site are mainly two-storey detached dwellings in generous plots, although views of these properties are often screened by landscaping. Further afield, towards St Paul's Church, plot sizes become smaller and narrower.
6. The appeal site contains a single-storey garage with a hipped roof, positioned at a lower level than the surrounding land and set back from the highway, allowing for parking to the front. Although the plot is smaller than some of the immediately adjoining properties, its size reflects the established pattern of development within the wider area.
7. The site presently exhibits a domestic character. The proposed incorporation of glazing to the front of the building would introduce some visual change; however, this would not materially alter its overall domestic appearance. Whilst the intensity of use would inevitably increase through the comings and goings associated with the occupation of the building as a one-bedroom dwellinghouse, such activity would be modest in scale, and the resultant effect would be limited. Overall, given the restricted medium and long-distance views of the site, the screening afforded by established landscaping, and the modest increase in intensity of use, the proposal would not appear out of keeping with the locality, nor would it cause harm to its character or appearance.
8. Furthermore, the proposed landscaping scheme, which could be secured by condition, would reinforce the verdant qualities of the locality, provide additional screening, and soften the appearance of the building, thereby contributing positively to the overall character and appearance of the building and the wider area.
9. I find that the proposal would have an acceptable effect on the character and appearance of the area. As such it would be in general accordance with Policy DM35 of the Wycombe District Local Plan (adopted August 2019) (WDLP), which insofar as it is relevant, requires development to create positive and attractive buildings and spaces and to improve the character of the area. The proposal would also accord with the guidance in The Residential Design Supplementary Planning Document 2017, which advises that development should improve or reinforce the positive existing character of the place development.

Living Conditions

10. The existing building almost fills the width of the plot with modest hard standing to its front and rear. The space to the rear is set at a lower level to neighbouring land creating a sunken paved courtyard area surrounded by a retaining wall with a fence atop.
11. During the site visit I was able to view the site from several public and private vantage points. The courtyard area, and part of glazing proposed on the rear elevation of the building would be subject to some direct overlooking from immediate neighbours to the south-east and south-west. However, the degree of overlooking would be reduced and mitigated by existing boundary treatments both

on the site and in neighbouring gardens, and by the lower ground level of the site. The resulting relationship would be typical of a residential area.

12. I find that the proposal would provide appropriate living conditions for future occupiers with regard to privacy. As such it would therefore be in general accordance with Policy DM35 of the WDLP, which seeks amongst other things, development to provide a level of privacy and amenity for future occupants appropriate to the proposed use.

Other Matters

13. Concerns relating to the establishment of a precedent have been taken into account. Each application and appeal must be treated on their own individual merit. I saw no directly comparable sites on my visit, and I have not been presented with any substantive evidence regarding other available sites. Consequently, a generalised concern of precedent does not justify withholding permission in this case.
14. Various concerns regarding covenants, the Party Wall and alleged trespass activity have been brought my attention; however, these are private matters which are outside the scope of the planning merits which I am required to focus upon.
15. Several representations were submitted during the application and appeal process raising issues about the planning history of the site and the impacts associated with the construction of the garage building. Although these matters have been carefully noted, they do not alter the main issues which have been identified as the basis for the determination of this appeal
16. Representations have been received raising concerns that the proposed development would adversely affect the living conditions of occupiers of neighbouring land and buildings because of an increased level of activity and associated noise. However, there is no credible evidence that any such increase would materially exceed the level of activity and noise ordinarily generated by existing residential properties in the locality. On the evidence before me, I am not satisfied that the proposal would give rise to an unacceptable adverse impact on the occupiers of neighbouring land or buildings by reason of noise or disturbance.

Conditions

17. The National Planning Policy Framework (the Framework) indicates that conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
18. The Council has provided a list of suggested conditions, and the appellant has provided comments. I have considered the suggestions and comments in relation to the Framework and the National Planning Practice Guidance (PPG), amending where necessary in the interests of precision.
19. It is necessary for some matters and details to be agreed either prior to the occupation of the development or at various stages of activity because they influence the way the site is developed. Other conditions require compliance. All conditions imposed are reasonable and necessary to make the approved development acceptable.

20. In addition to the standard time limit condition, I have attached a condition specifying the approved plans to provide certainty and a condition specifying that the development should be carried out in accordance with the materials specified on the application form and plans, again to provide certainty.
21. The Council has suggested a condition requiring the submission of a landscaping scheme. The wording provided by the Council does not contain an implementation clause, the condition has been amended to include the clause. This condition is necessary to protect and enhance the character and appearance of the area and to protect the living conditions of future occupiers and surrounding occupiers.
22. The Council has suggested a condition requiring the provision of a bat box or swift box. This condition is necessary in the interest of securing ecological enhancements to support biodiversity gains. For precision I have amended the condition to include a timing and implementation clause.
23. A condition requiring details of refuse and recycling storage and facilities to be submitted and approved prior to occupation is necessary to ensure the development supports waste reduction targets.
24. A condition requiring details of bicycle storage is necessary to ensure the development supports the use of sustainable and active modes of transport.
25. A condition restricting permitted development rights (PD) rights under Classes A, B and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) has been attached.
26. The suggested list of conditions was circulated to both parties. The Council has confirmed that they have no comments on the list of conditions. I have taken into consideration the appellant's objection to the condition restricting PD rights and the advice contained in the Framework and PPG. However, considering the scale of the site and the configuration of the proposed development, the imposition of a condition withdrawing PD rights under Classes A, B and E of the GPDO is both reasonable and necessary. Such a restriction would ensure that the Council retains appropriate control over future alterations and extensions, thereby enabling a proper assessment of their potential effects on the living conditions of neighbouring occupiers and on the character and appearance of the surrounding area.
27. I am satisfied that each condition meets the tests of necessity, relevance, enforceability, precision, and reasonableness as set out in paragraph 57 of the Framework.

Conclusion

28. I conclude that the proposal accords with the development plan when taken as a whole, and there are no material considerations that indicate a decision should be taken other than in accordance with it, in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004.
29. Accordingly, the appeal is allowed, subject to the conditions set out in the following Schedule.

Barry John Lomax

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with
 - Drawing 25_32_03 REV B EXISTING GARAGE SITE PLAN
 - Drawing 25_32_04 REV A (PROPOSED BUNGALOW FLOOR PLAN AND SECTION)
 - Drawing 25_32_05 REV C PROPOSED BUNGALOW ELEVATIONS; and
 - Drawing 25_32_06 Rev B PROPOSED BUNGALOW SITE PLAN
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. Drawing 25_32_05 REV C PROPOSED BUNGALOW ELEVATIONS.
- 4) Before the development is first occupied a scheme of landscaping shall have been submitted to and approved in writing by the local planning authority. The scheme shall include
 - details of all existing trees and hedgerows on the land, and identify those to be retained and set out measures for their protection throughout the course of development, and
 - details of both hard and soft landscape works. These details shall include
 - specification of all proposed tree planting.
 - means of enclosure and retaining structures.
 - boundary treatment; and
 - hard surfacing materials

The landscaping scheme shall be carried out in accordance with the approved details before any part of the development is first occupied.
- 5) Before the development is first occupied a bat box or swift box shall have been incorporated into the building in accordance with details that have been submitted to and approved in writing by the local planning authority.
- 6) The dwelling hereby approved shall not be occupied until space has been laid out within the site in accordance with drawing no. Drawing 25_32_06 Rev B PROPOSED BUNGALOW SITE PLAN for refuse and recycling bins to be stored and that space shall thereafter be kept available for the storage of refuse and recycling bins.
- 7) The dwelling hereby approved shall not be occupied until space has been laid out within the site in accordance with drawing no. Drawing 25_32_06 Rev B PROPOSED BUNGALOW SITE PLAN for 2 bicycles to be stored and that space shall thereafter be kept available for the storage of bicycles

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by virtue of Classes A, B, and E of Part 1 of Schedule 2 to the Order shall be undertaken.