The Planning Inspectorate

Appeal Decision

Site visit made on 17 October 2016

by H Baugh-Jones BA(Hons) DipLA MA CMLI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24TH October 2016

Appeal Ref: APP/K0425/D/16/3156345
104 Marlow Bottom Road, Marlow Bottom, Marlow, Bucks SL7 3PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Jason Batten against the decision of Wycombe District Council.
- The application Ref 16/05682/FUL, dated 28 February 2016, was refused by notice dated 19 May 2016.
- The development is proposed remodelling of elevations consisting of extension to dormers, recladding of dormers with cream weatherboarding, new front gable with extension over porch, new pitched roof finished in slate, including raising of ridge by 900mm, conversion of garage to utility and first floor extension over kitchen and family room.

Decision

1. The appeal is allowed and planning permission is granted for proposed remodelling of elevations consisting of extension to dormers, recladding of dormers with cream weatherboarding, new front gable with extension over porch, new pitched roof finished in slate, including raising of ridge by 900mm, conversion of garage to utility and first floor extension over kitchen and family room at 104 Marlow Bottom Road, Marlow Bottom, Marlow, Bucks SL7 3PH in accordance with the terms of the application, Ref 16/05682/FUL, dated 28 February 2016, subject to the following 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: Ground Floor Plan Drawing No. 01F; First Floor Plan and Elevations Drawing No. 02F.

    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.

Procedural matter

2. Although not specifically referred to in the reasons for refusal of the application, the evidence is clear that the Council's concerns also relate to overshadowing of the next door property. I have therefore reflected this in the main issues.

Main Issues

3. The main issues in this appeal are the effects of the proposal on the living conditions of the occupiers of No. 106 Marlow Bottom Road with regard to outlook and light.

Reasons

4. The appeal property is a detached dormer bungalow within a line of relatively close knit detached dwellings forming part of an established residential area. The substantial front and rear dormers spanning much of the main parts of its roof have given the dwelling a somewhat discordant appearance.

5. Currently, the northern end of the dwelling, next to No. 106 is formed by a front projecting single-storey garage, behind which there is a subservient but relatively steep pitched roof above a side facing gable. Behind this, projecting from the rear elevation is a further single-storey element, forming part of the dwelling's kitchen.

6. I accept that the overall bulk of the dwelling would be increased at the rear such that this would include a change to its northern end. However, the proposed first floor of the extension would be further away from the side of No. 106 than is currently the case and would utilise a hipped roof form, thus minimising its bulk at the northern end of the dwelling. I therefore consider that the separation distance between the two dwellings would be sufficient to prevent any materially different effect arising from the proposal when compared to that currently experienced by next door's occupiers.

7. Furthermore, the proposed increase in built form at the rear of the dwelling would account for a relatively modest rearward projection in comparison to the existing building line at first floor level. Therefore, at the northern end of the dwelling, the majority of its existing single-storey part would be maintained. In addition, the proposal would not result in the upper part of the dwelling projecting beyond the rear building line of No. 106. Thus, although it would inevitably be more noticeable, I do not consider that the proposal would result in an overbearing effect on the outlook from next door's patio, decking area or rear rooms.

8. I recognise that there is a difference in ground level between Nos. 104 and 106. However, I am not convinced that No. 106 is set significantly lower such that an increase of less than 1m to No. 104's roof height would give the effect of it appearing as a three-storey building.

9. The Council also contends that the proposal would result in overshadowing of next door although it has not been specific in suggesting exactly which parts of the property would be affected. Nevertheless, for the reasons already given and taking into account the path of the sun relative to the orientation of the dwellings, I do not consider that there would be any noticeable overshadowing effects on the rear elevation of No. 106 or its outdoor space.

10. For the above reasons, the proposal would not be so harmful as to have an unacceptable effect on the outlook from next door or on the amount of light reaching it. Accordingly, the proposal does not run counter to saved Policies G8 or H17 of the Wycombe District Local Plan (2004) that, amongst other things, seek to safeguard neighbouring amenity. Further, I do not find any

overall conflict with Policy CS 19 of the Wycombe Core Strategy (2008) insofar as it relates to the amenity of neighbouring uses.

Other matters

11. I note the neighbours' concerns that the proposal would reduce the privacy to their son's bedroom, which is served by two roof lights in the dwelling's southern elevation. However, the proposal does not include any windows at a height sufficient to allow any overlooking into this room. I am not therefore persuaded that the privacy of next door's occupiers would be harmed.

12. The appeal property is located within the Chilterns Area of Outstanding Natural Beauty (AONB). The property lies within an established residential area within which dwellings vary in their design and scale. Whilst the proposal would result in an increase in the overall size of the dwelling, given its current appearance and taking into account the residential context, I do not consider that there would be any harm to the special qualities of the AONB. Consequently, the proposal would accord with the statutory duties towards this designated landscape.

Conditions

13. Although not requested by the Council, I consider it necessary to specify the approved plans as this provides certainty. In so doing, I note that the materials to be used are clearly described on the approved plans and other application documents and I am therefore content that this would ensure the satisfactory appearance of the development. Moreover, the Council has not provided any justification for the inclusion of a condition relating to matching materials that would contradict what is shown on the submitted application documents.

Conclusion

14. For the above reasons and having had regard to all other matters raised, the appeal succeeds.

Hayden Baugh-Jones

Inspector