
Appeal Decision

Site visit made on 16 January 2017

by Veronica Bond LLB (Hons), Solicitor (non-practising)

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

Decision date: 6 February 2017

Appeal Ref: APP/K0425/W/16/3160104

10 Lindsay Avenue, High Wycombe HP12 3DT

- 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 Sageer Latif against the decision of Wycombe District Council.
 - The application Ref 16/06577/FUL, dated 25 May 2016, was refused by notice dated 1 August 2016.
 - The development proposed is described as 'loft extension to provide additional habitable rooms, external alterations and internal alterations to position of staircase'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the appeal property and area and on the living conditions of the occupants of 12 Lindsay Avenue with particular regard to outlook and natural light.

Reasons

Character and appearance

3. The appeal property is a detached double fronted dwelling with bay windows. Properties in the area vary greatly and include large commercial buildings, period terraces, and three storey modern flatted development.
4. The proposal would increase the height of the building to a modest degree and would alter the shape of its roof. There is though significant variation in property styles in the locality, including as regards roof design and height. As such, the effect of the proposed roof alterations would not draw the eye or appear visually jarring in the street scene. This is particularly so as the flat section of roof would not be readily perceptible in main public views given the height of the building and its position close to the pavement. Further, the gabled bays would remain as distinctive features of the appeal property, linking with similar architectural elements seen on some other buildings in the vicinity.
5. I therefore find that the proposal would not harm the character and appearance of the appeal property or area. It would accord in this regard with Policies G3, G8, H17 and Appendix 4 of the Wycombe District Local Plan to 2011 (adopted January 2004) (as saved and extended September 2007 and replaced by the Adopted Core Strategy July 2008 and the Adopted Delivery and Site Allocations Plan July 2013) (LP). These seek together, amongst other things, extensions

that respect the scale and character of the surrounding area, and development that respects local context, and to avoid extensions having an adverse effect on the character and appearance of the host property and area. I also find no conflict in this respect with Policy CS19 of the Wycombe Development Framework Adopted Core Strategy (July 2008) (CS) which includes in its aims high standards of design and the reinforcement of locally distinctive qualities.

Living conditions

6. No 12 is a semi-detached property sitting immediately adjacent to the appeal property, with only a small separation gap between the two buildings. A ground floor bay window which appears to be to a habitable room faces in the direction of the appeal building. This window is the main window to this room and is positioned very close to the side elevation of the appeal property. The appeal property is though at present set back slightly and reduced in height at this point. This prevents the current relationship effect from being oppressive.
7. The proposed alterations to the property would bring the side elevation closer to No 12 and at a much increased height. Given the already sensitive relationship, this would significantly impede the outlook from the side bay window to No 12, reducing levels of natural light also. I have considered that the separation distance at present is limited and the reduction would be relatively small. I have borne in mind also the orientation of the window to No 12 along with comments as to the 1m distance cited in Appendix 4 of the LP. However, as outlined, the context is already a sensitive one and this further reduction would thus be harmful.
8. Accordingly, I conclude on the second main issue that the proposal would have a harmful effect on the living conditions of the occupants of 12 Lindsay Avenue with particular regard to outlook and natural light. It would in this way conflict with Policies H17 and G8 of the LP and Policy CS19 of the CS. These aim to safeguard the amenity of occupants of surrounding buildings.

Other Matters

9. I recognise that the proposal is a resubmission of a previous scheme and seeks to overcome past objections and that the Council is not opposed to the development in principle. I acknowledge also the contribution made by houses in multiple occupation in meeting housing needs and benefits to the occupants of the appeal property which would result from the appeal scheme. This offers slight weight in favour of the appeal proposal. Concerns as to the Council's handling of the application are not for me in dealing with this appeal.

Conclusion

10. Although there would be some modest benefits entailed in the proposal and I found no harm as regards the character and appearance of the area, this does not outweigh the development plan conflict and harm found in respect of the living conditions of the occupants of No 12. In view of this harm, I do not find the proposal to be the sustainable development in respect of which the National Planning Policy Framework creates a presumption in favour. Accordingly, I conclude that the appeal should fail.

Veronica Bond
INSPECTOR