

Appeal Decision

Site visit made on 31 January 2017

by Mr C J Tivey BSc (Hons) BPI MRTPI

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

Decision date: 8 February 2017

Appeal Ref: APP/K0425/D/16/3163464

16 Selwood Way, Downley, High Wycombe, Bucks HP13 5XR

- 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 Narinder Management Ltd against the decision of Wycombe District Council.
 - The application Ref 16/07257/FUL, dated 1 August 2016, was refused by notice dated 3 October 2016.
 - The development proposed is for an extension and alterations to existing house.
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Decision

1. I dismiss the appeal.

Main Issue

2. The main issue is the effect of the appeal proposal on the living conditions of the occupants of 67 and 69 Littleworth Road, with specific reference to outlook, privacy and sunlight.

Reasons

3. The proposal relates to a detached dwelling situated within a residential estate which backs on to the rear gardens of 67 and 69 Littleworth Road. The appeal site is on slightly higher ground than these adjoining dwellings, with a conifer hedge located within and across its rear boundary for the extent that it spans the width of the rear garden to 69 Littleworth Road. This hedge provides an effective screen at ground floor level its long-term retention cannot be guaranteed and, therefore whilst I accept that its presence is a material consideration, I can only give it limited weight.
4. Appendix 1 – Residential Design Guide of the Adopted Wycombe District Local Plan to 2011 (as saved, extended and partially replaced) (LP) stipulates that a reasonable degree of privacy should be afforded to all residential units within the private realm, and that the separation distance between facing windows can be achieved by a minimum distance of 25m, although 30m is preferred. The separation distance between the rear elevation of the appeal dwelling as proposed to be extended and nos 67 and 69 would be 21m and 17.6m respectively. LP Appendix 1 also highlights that where the site is sloping, additional distance will be required with such standards in place to protect the living conditions of the occupants of existing and future occupiers of residential developments.

5. I accept that the existing separation distances are already sub-standard, however through the proposed two storey rear extension these would be further eroded, along with the living conditions of the occupants of nos 67 and 69, through an increased loss of privacy, due to the closer proximity of the appeal dwelling as proposed to be extended to these neighbouring dwellings. In addition, taking into account the difference in ground levels and the proposal to bring built form that much closer to these dwellings, notwithstanding the presence of the conifer hedge, I find that the proposal would also give rise to a material loss of outlook from nos 67 and 69, also to the detriment of their occupiers.
6. I am not convinced that the installation of further hedging and landscaping can be relied upon to provide visual screening, particularly as it takes time for such schemes to mature and which may not outlive the lifetime of the proposed development. Notwithstanding this, bearing in mind the orientation of the appeal proposal being north west of nos 67 and 69, I find that the proposal would not give rise to a material level of overshadowing.
7. I therefore conclude that the proposal would have a harmful effect upon the living conditions of the occupiers of 67 and 69 Littleworth Road, in terms of a material loss of privacy and outlook. The proposal conflicts not only with LP Appendix 1, but also LP Policies G8 and H17 which require house extensions to safeguard the amenity of residents of neighbouring properties in respect of, amongst other things, privacy and visual intrusion. This is in addition to Policy CS19 of the Wycombe Development Framework Core Strategy Adopted July 2008 which requires high standards of design and layout to be achieved through the creation of positive, attractive and safe public and private environments.

Conclusion

8. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR