

# Appeal Decision

Site visit made on 1 June 2017

**by Les Greenwood MRTPI**

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

**Decision date: 21 June 2017**

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**Appeal Ref: APP/K0425/D/17/3171312**

**Here Am I, Whitehouse Lane, Wooburn Moor HP10 0NR**

- 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 Mrs B Pavey against the decision of Wycombe District Council.
  - The application Ref 16/08131/FUL was refused by notice dated 9 February 2017.
  - The development proposed is a single storey front infill extension, alterations and raising of the roof to facilitate a loft conversion to habitable accommodation with roof lights, a front mono-pitched dormer window and a rear first floor window.
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## Decision

1. The appeal is dismissed.

## Main issues

2. The main issues are:
  - i) whether the proposal would be for inappropriate development in the Green Belt;
  - ii) the effect of the proposal on living conditions at the neighbouring property, 10 Whitehouse Close, in terms of overlooking; and
  - iii) the effect of the proposal on the character and appearance of the dwelling and the local area, including the local landscape.

## Reasons

*Whether inappropriate in the Green Belt*

3. Here Am I is a single storey, 2 bedroom bungalow sitting on a corner plot within a small strip of residential development in the Metropolitan Green Belt. The proposal would raise the roof just enough to provide first floor accommodation with rooflights, a double dormer window structure and a first floor window.
  4. The Council's Core Strategy July 2008 (CS) Policy CS9 seeks to protect the Green Belt from inappropriate development as defined in Government Policy. Paragraph 87 of the National Planning Policy Framework advises that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 explains that construction of new buildings should be regarded as inappropriate in the Green Belt, except for listed exceptions. These include extensions to
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buildings provided that they do not result in *disproportionate additions* over and above the size of the original building. The Framework does not provide any further guidance about the scale of increase that would be disproportionate.

5. To this end, Wycombe District Local Plan to 2011 (LP) Policies GB2 and GB6 state that extensions will not be permitted where they would result in the gross floorspace of the original dwelling being increased by more than 50%, unless the floorspace of the resultant building would be less than 120sqm. Policy GB6 does, however, allow for some exceptions to this including where the dwelling is in a ribbon of development which creates a substantially built up frontage and the resultant building would otherwise be relatively small compared to other dwellings in the frontage. The policy text explains that if the existing dwelling is relatively small in comparison with adjoining dwellings, the impact of an extension greater than 50% will be unlikely to harm the open character of the Green Belt.
6. According to the Council's undisputed calculations, the floorspace of the original building has already been extended by well over 50%. The appeal proposal would take up to about 138% and also over the 120sqm threshold. The bungalow is, however, located in a ribbon of development and within the built-up frontages of both Whitehouse Lane and Whitehouse Close. The dwellings here vary in size and many appear to be significantly larger than is proposed. I am satisfied that the resulting building would still be comparatively modest in scale. The proposed changes would make better use of roof space to increase floorspace without substantial increases in bulk or height. The proposal therefore fits comfortably into the exception stated in LP Policy G6.
7. I conclude that, in its context, the proposed extension would not amount to a disproportionate addition over and above the size of the original building. The proposal is therefore not inappropriate in the Green Belt and accords with paragraphs 87 and 89 of the Framework, CS Policy CS9 and LP Policies GB2 and GB6. The Council also refers to LP Policy GB5 here, but that policy relates to replacement dwellings.

#### *Neighbours' living conditions*

8. Here Am I is located on a steeply sloping site backing onto another bungalow, 10 Whitehouse Close, which sits close by and at a much lower level. The proposal includes 3 low level rooflights and a long window at first floor level, all of which would overlook a bedroom window and a kitchen window at No 10 at close range and from an elevated position.
9. Although 2 of these proposed rooflights would serve a landing and a wardrobe and therefore could be obscure glazed and fixed, the other rooflight and the window would serve bedrooms so should reasonably be clear glazed and openable. One of the bedrooms would only be served by 2 small rooflights so that rooflight in particular should not be obscured. Even if all these openings were obscured, the gap between the properties is so narrow, and the levels difference so marked that the windows here would inevitably create a strong impression of being overlooked. I understand that the appellant's intention is to use one of these bedrooms infrequently, as a spare bedroom, but that situation might not continue in the longer term.

10. I note that no neighbours have objected, but that is not an overriding factor in this case. I conclude that the proposal would cause an unacceptable loss of privacy to occupiers of 10 Whitehouse Close due to overlooking. It therefore conflicts with the aims of CS Policy CS19 and LP Policies H17 and G8, to ensure that extensions would not have an adverse effect on the residential amenities of neighbouring properties. These aims align with the Framework's aim to secure a good standard of amenity for all existing and future occupants. The Council also refers to LP Policy G3 here, but I see no direct relevance to this issue.

#### *Character and appearance*

11. Here Am I is set down from and partially screened from Whitehouse Lane, but is more prominent in views from Whitehouse Close. The proposal would consolidate the somewhat disparate elements of the current building into a more coherent whole while remaining reasonable in scale and proportion. The proposed dormer would be similar to that seen at 10 Whitehouse Close and a cutaway section of wall covered by tile hanging would be a minor feature, adding a degree of interest to the building. I see no reason why the proposal would not fit well into the street scene of this is mixed area of houses and bungalows of varying design and scale.
12. The Council confirms that the site is not in the Chilterns Area of Outstanding Natural Beauty (AONB). The proposal would have little effect on the wider landscape and therefore would not cause any harm to the setting of the AONB.
13. I conclude that the proposal would not harm the character or appearance of the dwelling or the local area including the local landscape. It therefore accords in this respect with the aims of CS Policies CS17 and CS19, LP Policies H17, G3 and L1, LP Appendix 4 and the Framework, to achieve a high standard of design that respects and reflects the local context so as to maintain and reinforce its distinctiveness. The Council also quotes LP Policy G8 here, but I see no direct relevance.

#### **Conclusion**

14. Although I have found in favour of the proposal on 2 of the main issues, my concern in regard to the impact on neighbours' living conditions is sufficiently compelling for me to conclude that the appeal should not succeed.

*Les Greenwood*

INSPECTOR