

## Appeal Decision

Site visit made on 13 June 2017

**by JP Roberts BSc(Hons), LLB(Hons), MRTPI**

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

**Decision date: 22<sup>nd</sup> June 2017**

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**Appeal Ref: APP/K0425/D/17/3171504**

**41 Clapton Approach, Wooburn Green, HP10 0DW**

- 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 Carter against the decision of Wycombe District Council.
  - The application Ref 16/07697/FUL, dated 4 October 2016, was refused by notice dated 20 December 2016.
  - The development proposed is a double storey part single storey front, side and rear extension and demolition of an existing garage.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of 39 Clapton Approach with particular regard to outlook, visual impact and light.

### Reasons

3. The proposal would involve a long side and rear extension which would run from the front elevation to a point about 10m beyond the existing rear main elevation. Whereas the ground floor part of the side extension would be 0.6m from the side boundary with 39 Clapton Approach, the first floor part of the extension would be slightly set in, providing a gap of about 1m between it and the boundary. The two-storey part of the extension would project about 5m from the main two-storey rear elevation of the house.
  4. The neighbouring house at 39 Clapton Approach is set back further into its plot from the road than No 41. It has a two-storey side elevation about 2.2m from the boundary with the appeal site. There are three windows in the side elevation of No 39, a kitchen window at ground floor level, a half-landing window and an obscurely glazed bathroom window at first floor level.
  5. Of these, the principal concern relates to the kitchen window. It is a fairly small window which serves a long, narrow kitchen/diner, the rear part of which occupies a small extension. Whilst there is a small window in the rear elevation, it is over 4.5m away from the side window, and even with two windows and a side door in the side elevation of the extension facing away from the appeal site, on a sunny summer day I saw that the room was fairly dark. The side facing kitchen window looks out on the side of the two-storey part of No 41, but there is also a view of the sky over the single storey rear
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extension of the property, providing relief from the bland brickwork, and a more open aspect.

6. The side elevation of the proposed extension would be some 3.2m away from the kitchen window. It would project much further to the rear than the existing building, and thus the only view from the window would be of a high brick wall, at a very close distance. I consider that this would provide a very poor, claustrophobic and uninteresting outlook and it would make the kitchen considerably darker. I find that it would materially harm the occupiers' living conditions, and would fail to provide the good standard of amenity for all existing and future occupants of land and buildings, which is one of the core planning principles set out in the National Planning Policy Framework.
7. I have had regard to the extension that is currently under construction at 35 Clapton Approach. That provides a two-storey extension close to the boundary with No 37. The Council has pointed out that the houses at Nos 35 and 37 are not staggered as is the case with Nos 39 and 41, and that the two-storey extension in that case would be further from the boundary. These are clearly distinguishing features, but without knowing the layout of the kitchen in No 37, or the position and nature of any other windows serving it, I cannot make an informed comparison. Accordingly, it does not serve to justify the harm that I have found that would be caused in this case.
8. I therefore conclude that the proposal would result in material harm to the living conditions of the occupiers of 39 Clapton Approach, with particular regard to light and outlook, and it would conflict with saved Policies H17 and G3 of the Wycombe District Local Plan to 2011, which respectively deal with residential extensions and design and seek to ensure that development protects the residential amenities of neighbouring properties and is appropriate to its context. It would also conflict with Policy CS19 of the Wycombe Development Framework Core Strategy 2008, which seeks high standards of design.

### **Other matters**

9. I have had regard to the concerns expressed by the occupier of No 39 about loss of privacy from the closeness of the bathroom windows in the respective properties, and about the sense of enclosure that would result from the extension, but neither of these matters adds to my reason for dismissing the appeal.

### **Conclusion**

10. I find that the proposal would conflict with the development plan as a whole, and for the reasons given above; I conclude that the appeal should be dismissed.

*JP Roberts*

INSPECTOR