



Appeal Decision

Site visit made on 10 October 2017

by H Lock BA(Hons) DipTP MRTPI

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

Decision date: 25 October 2017

Appeal Ref: APP/K0425/D/17/3180309

70 Haw Lane, Bledlow Ridge, High Wycombe, HP14 4JH

- 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 P Finnerty against the decision of Wycombe District Council.
 - The application Ref. 17/05928/FUL, dated 5 April 2017, was refused by notice dated 1 June 2017.
 - The development proposed is described as 'householder application for construction of part two storey, part single storey rear extension and 1 x front dormer window (alternative scheme to 16/08226/FUL)'.
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Decision

1. The appeal is dismissed.

Background & Procedural Matter

2. Planning permission was granted for the construction of part two storey, part single storey rear extension and 1 x front dormer window at the appeal site under ref. 16/08226/FUL (the 'approved scheme'). From the plans supplied, the difference between the approved and proposed development is the extent of the rear projection at first-floor level. My decision therefore focuses on the effect of this aspect of the appeal proposal.
3. Since the determination of the planning application, the Bledlow-cum-Saunderton Neighbourhood Plan 2016 – 2033 (NP) has been made and now forms part of the Development Plan.

Main Issues

4. The main issues are (1) whether the proposal would be inappropriate development within the Green Belt (GB) for the purposes of planning policy set out in the National Planning Policy Framework (the Framework) and the development plan; (2) whether it would affect the openness of the GB and the purposes of including land within it, and the character and appearance of the Chilterns Area of Outstanding Natural Beauty (AONB); (3) the effect of the proposal on the living conditions of occupants of 68 Haw Lane (No.68), with particular reference to light and outlook; and (4) if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the Proposal Constitutes Inappropriate Development

5. The appeal property is in Bledlow Ridge, which is identified in the Wycombe District Local Plan to 2011¹ (LP) as being one of the built-up areas within the Green Belt, and 'washed over' by the Green Belt. In this context, LP Policies GB2 and GB4 allow for extensions to dwellings in the GB provided that the proposal would not harm its open character. However, whilst broadly consistent with the aims set out in the Framework, the national document is more specific, and advises that the extension or alteration of a building is not inappropriate in the GB provided that it does not result in disproportionate additions over and above the size of the original building².
6. The size of the original property is not specified in the submissions but the planning history in the Council's officer report indicates that it has been extended in the past. Notwithstanding the inclusion of a half-hipped roof to the proposed rear extension, its overall depth and scale would result in an excessive and overly dominant addition to the host property. Taken cumulatively with other built and approved extensions to the property, as a matter of fact and degree it would represent a significant increase in size that would be disproportionate compared to the original dwelling.
7. I therefore conclude that the proposal would constitute inappropriate development that is, by definition, harmful to the GB, and would conflict with the aims of the Framework, LP Policies GB2 and GB4 and Core Strategy (CS) Policy CS 9³, which states that the GB will be protected from inappropriate development as defined in Government policy. In accordance with paragraph 88 of the Framework, this harm would have substantial weight.

Effect on Openness and the AONB

8. The site is within the GB and the Chilterns AONB. The statutory purpose of AONBs is to conserve and enhance the natural beauty of the area, and paragraph 115 of the Framework confirms that great weight should be given to conserving landscape and scenic beauty in areas including AONBs, which have the highest status of protection.
9. The principle of extending the dwelling has been accepted, and the proposed rear extension would be no deeper in footprint than the approved scheme. Views of the rear extension from the front of the property would be reasonably limited due to the topography and the position of buildings. When viewed from the rear, it would be seen against the backdrop of the existing building, and would be constructed on an existing raised patio area. The attribute of openness is not directly related to visibility, but the development would be well-contained within the appeal site and would have limited visual impact beyond its immediate surroundings. As such, I conclude that the proposal would not cause harm to the openness of the wider GB or the natural beauty of the AONB, and in this respect would not conflict with the aims of LP Policies

¹ (As Saved and Extended (2007)); and replaced by the Adopted Core Strategy July 2008 and Delivery and Site Allocations Plan July 2013)

² 'Original building' is defined in the glossary to the Framework as 'a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally'.

³ Wycombe Development Framework Core Strategy 2008

GB2, GB4 and L1. However, this does not reduce the intrinsic harm by definition of introducing inappropriate development in the GB.

Living Conditions

10. The local topography is such that 68 Haw Lane is set on materially higher ground than the appeal property. At the time of the appeal site visit an extension was under construction at No.68, close to the shared boundary.
11. No.68 is located directly to the south of the appeal property. Appendix 4 to the LP sets out 'light angles' that the Council will apply to rear extensions to minimise the effect on outlook and light to an adjoining owner's nearest habitable room windows. However, this methodology does not take into account the significant difference in ground levels between the appeal property and No.68. That said, the proposed rear extension would project deeply beyond the extension under construction at No.68, and in the absence of any technical data which takes into account the proximity and ground levels it has not been demonstrated in this appeal that the outlook and access to daylight for No.68 would not be severely compromised. I appreciate the orientation of the two properties means that the proposal would not create overshadowing, but there would nonetheless be potential to affect light levels.
12. With regard to privacy, permission has been granted for a large glazed opening in the approved rear extension. Repositioning this glazing to the end of a deeper extension would have no materially greater impact on the potential to overlook the rear garden of No.68.
13. On the basis of the information in this appeal it has not been demonstrated that the proposal would not diminish the outlook from habitable rooms of No.68 or reduce access to natural light to a degree that living conditions would be harmed. As such, the proposal would conflict with the aims of LP Policies G8 and H17(c). I find no conflict on this point with LP Policy G3 or CS Policy CS 19, which relate to matters of design, but that does not alter my conclusion.

Other Matters

14. The Framework advises that substantial weight should be given to any harm to the Green Belt, and that 'very special circumstances' will not exist unless the potential harm to the GB by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. I now turn to the arguments made in support of the proposal.
15. A key aspect of the appellant's case is that the proposal is required to address adverse effects on outlook, privacy and light at the appeal property arising from extensions granted at No.68⁴. Although plans of that development have been supplied, there is little other information about the rationale which supported that application. However, in granting planning permission for the development, the impact on the appeal property would have been considered, and assessed against the relevant policies. Whilst the appellant may be dissatisfied with the outcome, this is not grounds to allow a development that would be inappropriate development in the GB in its own right. As such, this factor has limited weight in this decision.

⁴ Under application ref. 16/06422/FUL

16. The appellant advises that the development approved at No.68 exceeds the bulk, mass and size of the appeal proposal. However, it is not for this appeal to assess the acceptability or otherwise of a development for which permission has been granted. Assessing this proposal on its own merits against national and local planning policy, I find that the rear extension would be overly large and disproportionate, and therefore this factor has limited weight.
17. The NP advises that the use of half-hipped roofs should be avoided in the Bledlow Ridge settlement area. However, given the existing design of the appeal property, including half-hips to the main roof, I share the appellant's view that this design approach would be consistent with the property. However, this detail would not materially reduce the scale of the rear extension and therefore is a factor of neutral weight in this decision.
18. Whilst the appellant's reasoning for requiring the proposed extension is understood, the published National Planning Practice Guidance makes clear that, in general, planning is concerned with land use in the public rather than private interest⁵. In this context, whilst I appreciate the appellant's concerns and frustration, I cannot give them significant weight in this appeal.

Green Belt Balancing Exercise and Conclusion

19. The Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting and enhancing the natural and built environment. Core planning principles of the Framework include the aim to protect Green Belts and to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings, but for the reasons given above the proposal would not comply with these principles and would not be sustainable development supported through the Framework.
20. Having balanced the various matters, other considerations do not clearly outweigh the harm to the GB by reason of inappropriateness, and any other harm, and the conflict with national and local planning policy. The very special circumstances necessary to justify the development do not exist, and I conclude that the appeal should be dismissed.

H Lock

INSPECTOR

⁵ Paragraph: 008 Reference ID: 21b-008-20140306