



Appeal Decision

Site visit made on 2 July 2019

by D. Szymanski, BSc (Hons) MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th July 2019

Appeal Ref: APP/K0425/D/19/3227925

26 Freemantle Road, High Wycombe, HP13 7PQ

- 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 V Wadhwa against the decision of Wycombe District Council.
 - The application Ref: 19/05100/FUL dated 11 January 2019, was refused by notice dated 15 March 2019.
 - The development proposed is described as a two-storey rear extension; 1st storey side extension; altering flat roof to pitched (to right-hand side); internal alterations and raising of patio level.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposed development upon:
 - the character and appearance of the area and the host dwelling;
 - the living conditions of No. 28 Freemantle Road with reference to privacy;

Reasons

Character and appearance

3. The appeal property is one of a number of detached dwellings of a similar design and appearance on Freemantle Road. They have hipped roofs, with a hipped front gable projection on one side of the front of the building. Whilst some dwellings exhibit modifications to the porches, garages, side and/or rear extensions, the dwellings retain much of their original character and appearance. The appeal property has previously been modified, including by way of a single storey side extension projecting slightly from the front wall, and a single storey rear extension across the width of the dwelling.
4. The proposed first floor side extension would be set away from the existing side wall and neighbouring property by approximately 1.3 metres, and flush with the front wall of the first floor. There would be a very small off-set behind the front wall of the existing ground floor extension. This arrangement and relationship between the existing ground floor and proposed first floor extension would result in an unsatisfactory visual appearance and relationship between the two elements at the front of the property. The proposed new roof

would create a large unbroken mass which would be out of keeping with the character and appearance of the existing dwelling and the area.

5. The proposed rear extension would result in a considerable increase in the depth of the host dwelling, particularly at first floor level. In combination with the proposed side extension, the extensions would not be subordinate or respect the character of the host dwelling. The host and adjoining dwellings have been previously extended in various ways. However, the proposed new extensions, would result in additional bulk, mass and scale to the dwelling, that would be noticeably larger than neighbouring and nearby dwellings, and would consequently be out of keeping with the character and appearance of the area.
6. For these reasons, the proposed development conflicts with Policies G3, H17, and the 'Design' section of Appendix 4 of the Wycombe District Local Plan (2004) (WDLP), Policy CS19 of the Wycombe Development Framework Adopted Core Strategy (2008) (WCS), Policies DM35 and DM36 of the emerging Wycombe District Local Plan (submission version March 2018) (EWDLP), and the National Planning Policy Framework (the Framework). These policies require that a proposed development achieves a high standard of design that maintains and enhances the character and appearance of the host dwelling and the wider area.

Living conditions

7. The host dwelling and its neighbouring properties have retained relatively low-level fencing giving visibility into neighbouring gardens and rear elevations. As the host property is above the ground level of No. 28 Freemantle Road, the proximity of the existing informal stoned area/patio and bin/storage area, results in there already being views into the ground floor windows of No. 28.
8. The proposed patio would be set further away from the rear façade of No. 28 by approximately a further three metres (to a total of around six metres), which would negate some of the impact of raising the patio level. However, the new patio could result in a far greater frequency of use than the existing informal area. Therefore, I consider that there would be a worsening of the existing situation, and so the development would have a significant adverse impact upon No. 28 in respect of privacy. I note the appellant's willingness to accept a pre-commencement condition in respect of fencing. However, given the existing and proposed land level differences, any screening should be assessed as part of a planning application.
9. Therefore, for the reasons above the proposed development is considered contrary to Policies G8 and H17 and the 'Protecting Amenity' section of Appendix 4 of the Wycombe District Local Plan (2004) (WDLP), and Policies DM35 and DM36 of the emerging Wycombe District Local Plan (submission version March 2018) (EWDLP). Amongst other things these policies seek to ensure that development safeguards the privacy and overlooking for existing and future occupants.

Other Matters

10. The appellant has highlighted the ability for an Inspector to issue a split decision, however due to the nature of the proposed development and the aspects of harm found, this would not be possible.

11. The appellant has remarked that the Council does not have up to date adopted guidance for providing specific advice on the design, size or siting of side and rear extensions. Clearly this is a matter for the Council to consider, it if wishes to do so. In the circumstances of the current proposals, I have determined these in accordance with the development plan.
12. The appellant has provided decision notices, officers reports, approved plans and comparisons to other extensions in Freemantle Road (Nos. 23 and 37 Freemantle Road). Having viewed these properties, they are of a different design and appearance to the proposed development, and in the case of No. 23 on a considerably different type of plot. In any event, I have considered this appeal on its own merits and it would cause harm for the reasons above.

Conclusions

13. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

Dan Szymanski

INSPECTOR