



Appeal Decision

Site visit made on 20 June 2019

by Rebecca McAndrew BA Hons, PG Dip Urban Design, MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd October 2019

Appeal Ref: APP/K0425/D/19/3226801

5 Mendip Way, High Wycombe HP13 5TE

- 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 Adil Awrangzeb against the decision of Wycombe District Council.
 - The application Ref: 18/08079/FUL, dated 26 November 2018, was refused by notice dated 22 January 2019.
 - The development proposed is a single storey front extension and front dormer to existing loft.
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Decision

1. The appeal is dismissed in so far as it relates to a single storey front extension. The appeal is allowed in so far as it relates to one front dormer to the existing loft at 5 Mendip Way, High Wycombe HP13 5TE in accordance with the terms of the application Ref: 18/08079/FUL, dated 26 November 2018 and the plans submitted with it, subject to the following conditions;
 - i. The development hereby permitted shall begin no later than three years from the date of this decision.
 - ii. The development hereby permitted shall be carried out in accordance with the following approved plans, in so far as they relate to the permitted front dormer: R210.01, R210.02 and R210.03C
 - iii. The materials to be used in the construction of the external surfaces of the front dormer hereby permitted shall match those used in the existing dwelling.

Background and main issue

2. The Council's reason for refusal refers to the front extension and no objection is raised to the proposed front dormer. I am satisfied that, given the modest scale and position of the proposed dormer, it would not have an adverse impact upon the character and appearance of the existing dwelling or the living conditions of neighbouring residents. I therefore have no reason to take a different view to the Council. The point of contention between the main parties relates to the front extension and hence the main issue is therefore the effect of the single storey front extension on the living conditions of the occupiers of No 3 Mendip Way in respect of outlook and light.

Reasons

3. The site is located in a residential area which is characterised by terraced properties with a staggered building line. The appellant's home is a mid-terrace property, which sits forward of the adjoining property No 3 Mendip Way.
4. No 3 Mendip Way includes a front facing window at ground floor level which is already restricted by the side wall of its own porch as well as the existing side elevation of the appeal property. The proposed front extension would increase both the length and mass of this side elevation, which would significantly restrict daylight to the ground floor window of No 3 and would exacerbate the sense of enclosure and outlook for the neighbouring residents when viewed from this window.
5. For the reasons outlined above, I conclude the proposed front extension would unacceptably harm the living conditions of the residents at No 3 Mendip Way in respect of loss of outlook and light. The proposal would therefore conflict with saved Policies G3, G8 and H17 and Appendix 4 of the Wycombe District Local Plan to 2011 (2004)(as saved, extended and partially replaced); Policy CS19 of the Core Strategy Development Plan Document (2008); Policies DM33, DM35 and DM36 of the Wycombe District Local Plan Regulation 19 Publication Version October 2017 and the National Planning Policy Framework 2019 which, taken together, seek to protect the living conditions of existing residents.

Other Matters

6. I have considered examples of other extensions in the area cited by the appellant's agent. Based on the limited information before me and my site visit, I am not persuaded that these examples are directly comparable with the appeal proposal. As a consequence of these different circumstances, and also taking into account that each proposal must be considered on its own merit, I attach limited weight to the developments in making my decision.
7. I acknowledge that the current proposal seeks to overcome the reasons for refusal of a previous appeal decision for a single storey front extension to this property (ref: APP/K0425/D/18/3208916). However, for the reasons outlined above, I have found that this part of the development proposal would cause significant harm in living conditions terms.
8. None of the other matters raised alter or outweigh my conclusion on the main issue.

Conditions

9. In respect of the dormer, it is necessary to impose the standard time limit condition. It is also necessary to impose a drawings condition for the avoidance of doubt and in the interests of certainty. In the interests of the character and appearance of the area/dwelling, it is necessary to impose a materials condition.

Conclusion

10. I have found that no harm would be caused as a result of the erection of the proposed front dormer. This element of the proposed works would be self-contained and could be built separately from the proposed front extension. I am therefore able to issue a split decision.

11. For the reasons given above, and having regard to all other matters raised, I conclude that this appeal should be allowed in so far as it relates to the proposed dormer but dismissed in so far as it relates to the front extension.

Rebecca McAndrew

INSPECTOR