
Appeal Decision

Site visit made on 8 October 2019 by Scott Britnell MSc FdA

Decision by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 January 2020

Appeal Ref: APP/K0425/D/19/3236955
23 Bovington Heights, Marlow, SL7 2JR

- 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 and Mrs S Sansome against the decision of Wycombe District Council.
 - The application Ref 19/05781/FUL, dated 26 March 2019, was refused by notice dated 21 June 2019.
 - The development proposed is described as "two storey front extension, single storey rear extension and general alterations to the existing building including new windows and finishes."
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. Following the decision on the planning application, Wycombe District Council adopted a new Local Plan (LP)¹. This replaces the Local Plan, Core Strategy and Local Plan Submission Version against which the Council assessed the proposal. During the appeal process, the parties were asked to confirm which policies they considered were relevant to the determination of the appeal, and I have taken their comments into account. I agree with the appellants that Policy CP1 is not specifically relevant to this matter, as it sets out the Council's overarching approach to implementing the Local Plan. Policies DM20 and DM33 do not relate to issues upon which the proposal was refused and so are not directly relevant to my consideration of the appeal.
4. During the course of the application, the description of development was revised to reflect the development that required planning permission. The Council describe the development as "demolition of existing ground floor side/rear extension and construction of two storey front and side extension, single storey rear extension, fenestration alterations and render to dwelling." I

¹ Wycombe District Local Plan Adopted August 2019

note that this is how the development is described within the appellant's appeal statement and I have assessed the appeal on that basis.

Main Issues

5. The main issues in this matter are:

- The effect of the single storey rear extension on the living conditions of the occupants of No.25 Bovingdon Heights, with particular regard to outlook.
- The effect of the two storey front and side extension on the character and appearance of the host property and area.

Reasons for the Recommendation

6. The appeal site comprises a detached dwelling house on the south side of Bovingdon Heights. The property has a gable roof with its ridge sitting perpendicular to the road. There is a single storey car port and garage with kitchen extension on the west elevation which extends up to the boundary with the neighbouring dwelling. Due to the staggered nature of development along this section of Bovingdon Heights, the front elevation of the appeal property sits forward of No.21 to the east and behind No.25 to the west.

Living conditions

7. The rear elevation of the neighbouring property at No.25 is stepped, with patio doors being the nearest ground floor fenestration to the appeal property. These serve a lounge/living room, which is also served by a large window to the front. The property also benefits from a generous, open aspect rear garden. There is currently a single storey flat roof extension at the appeal property projecting from the rear of the garage, which sits on the boundary between the properties. The proposed single storey rear extension would be significantly less deep than this structure and feature an asymmetric gabled roof with the ridge located on the opposite side of the host dwelling to No.25. Although the height of the proposed extension would be higher than the existing, this would not be significant, and any effect would be negated by the reduced depth. Thus, due to its depth, height and roof form, the extension would not appear overbearing or result in an unacceptable sense of enclosure for the occupants of this property affecting either its internal living spaces or the rear garden.
8. The proposed drawings show a 45 degree line drawn from the centre of the patio doors at No.25 towards the appeal proposal. This rule of thumb test is employed to determine the effect of proposed development upon the living conditions of occupants of neighbouring properties. While the line crosses the proposed extension, it also crosses the two storey side elevation of the appeal dwelling, indicating that the patio doors are likely to experience some loss of light and overshadowing from the existing dwelling. Consequently, given this relationship, in conjunction with the reduced depth of the extension and small increase in height, the proposed extension would not result in any significant effects above and beyond those that already exist. This also applies to the levels of light enjoyed within the rear garden.
9. I note that the Council have applied the above test but with a line of 60 degrees. While the line crosses the proposal it also crosses the existing

extension. Therefore, given the existing relationship and my above findings, I do not consider that the proposal would give rise to any unacceptable effects.

10. In conclusion, the effect of the single storey rear extension on the living conditions of the occupants of No.25 would be acceptable. The proposal would comply with LP Policies DM35 and DM36, which require, among other things, development to prevent significant adverse impacts on the amenities of neighbouring land and property and to preserve the amenities of neighbouring properties.

Character and appearance

11. The appeal property is a simple, well-proportioned building that sits within a distinct group of regularly spaced dwellings with similar characteristics. As such there is a pleasing visual rhythm to this part of the street scene. While the two storey front and side extension has been designed to appear as a later addition, the level of its projection beyond the front elevation of the host dwelling, combined with its height, width, depth and bulk would result in it competing visually with the building, failing to achieve an appropriate level of subservience and dominating the front elevation. This would be exacerbated by the asymmetric roof form, which would appear at odds against the gabled form of the host dwelling. Consequently, the proposed extension would cause harm to its character and appearance.
12. Although the existing car port and garage extend up to the boundary with the neighbouring property, a gap is retained at first floor level. This creates a sense of spaciousness and contributes positively to the character and appearance of the streetscene, wherein similar gaps are found. As such, the two storey front and side extension, due to its width, bulk and height would reduce the gap with No.25 Bovingdon Heights, eroding the sense of spaciousness and causing harm to the character and appearance of the host property and the area. Whilst the development might be partly screened by the position of No 25, it would nevertheless be prominent in passing views and in views from the east whereupon it would be seen as a large and unsympathetic extension to the dwelling.
13. The appellant also suggests that the proposal would screen the side elevation of the neighbouring property at No.25 Bovingdon Heights. This is a large blank elevation and the appellant suggests that by screening this the proposal would enhance the overall street scene. While I accept that the exposed blank elevation adds little to the character and appearance of the area, this very limited benefit would not overcome the significant visual harm that I have identified.
14. I note that there are instances within Bovingdon Heights where gaps between buildings are not as wide as those between the appeal property and its neighbours. The appellant has also referred me to a number of examples in the area where properties have been extended or altered. However, these developments differ in scale, form and context. In particular, they have not directly affected the immediate context of the appeal property, which is part of a small distinct group unified by their even spacing, simple proportions and form. For the reasons given, the proposal would be a disruptive influence on this architectural integrity, and these other developments therefore do not lead me to alter the conclusions that I have reached.

15. I conclude that the proposal would conflict with LP Policies CP9 and DM36, which seek among other things, to ensure that development achieves a high quality of design which contributes positively to making places better for people, will respect the character and appearance of the existing property, be subservient in scale and respect the character and appearance of the surrounding area.

Other Matters

16. The appellant states that some works may be carried out at the appeal dwelling under Permitted Development rights that could result in a similar or greater impact than the appeal proposal. However, I do not have full details of what these alternative developments may be, and in any case the works described are not what is being proposed here. Thus, I afford this argument limited weight and do not consider that it justifies the harm that I have identified.
17. The appellant is also aggrieved by the handling of the planning application by the Council. That, however, is not a matter for me to consider under this appeal.

Conclusion and Recommendation

18. Notwithstanding that the proposal would be acceptable in terms of the effects on residents' living conditions, the harm to the character and appearance of the area is an overriding consideration. For the reasons given above, I recommend that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

P J Davies

INSPECTOR