The Planning Inspectorate

Appeal Decision

Site visit made on 3 February 2020

by David Carter BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th March 2020

Appeal Ref: APP/K0425/D/19/3243208
May House, The Greenway, High Wycombe HP13 6PU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr and Mrs Ashley and Hayley Hough against the decision of Wycombe District Council.
- The application Ref 19/07455/VCDN, dated 9 October 2019, was refused by notice dated 27 November 2019.
- The application sought planning permission for a 2 storey rear extension, new roof over existing garage and internal alterations without complying with a condition attached to planning permission Ref 19/06914/FUL, dated 1 October 2019.
- The condition in dispute is No 2 which states that: the development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers WDC1; 01; 02; 03.
- The reasons given for the condition is: in the interest of proper planning and to ensure a satisfactory development of the site.

Decision

1. The appeal is allowed and planning permission is granted for a 2 storey rear extension, new roof over existing garage and internal alterations at May House, The Greenway, High Wycombe HP13 6PU in accordance with the application Ref 19/07455/VCDN dated 9 October 2019, without compliance with condition number 2 previously imposed on planning permission Ref 19/06914/FUL dated 1 October 2019 and subject to the following conditions:

   1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: WDC1, 01A (Block Plan); 02 (Existing Plans and Elevations); 03A (Proposed Plans and Elevations).

   3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

   4) No further first floor windows, doors or openings of any kind shall be inserted in the flank elevations of the development hereby permitted.

   5) The proposed development hereby permitted should ensure permeable surfaces are used in the development or provision is made to direct run-off water from the hard surface to a permeable area within the curtilage of the

application site. Permeable hard surfaces shall be permanently retained in that condition thereafter.

Preliminary Matters

2. The appeal proposal seeks to amalgamate, with small changes, 2 separately approved proposals. It would achieve this through the replacement of two of the drawings attached to the original planning permission, Ref 19/06914/FUL. The revised drawings include proposals for a loft conversion and rear dormer window as per the approved Certificate of Lawfulness Ref 19/06915/CLP. The appellants had been informed by the Council that implementation of both of the approved proposals could not be carried out at the same time. This is due to some inconsistencies between the plans. However, if the extension were built first and then revised plans for the loft conversion and rear dormer submitted these would be acceptable as a form of permitted development. This means that the inability to build both of the already approved elements at the same time would lead to additional construction costs and disruption.

Main Issue

3. This is the effect of the proposal on the character and appearance of the host dwelling and the surrounding area.

Reasons

Character and appearance

4. Since the 2 storey rear extension and associated alterations have been granted planning permission concerns that were raised regarding the impact of the size, bulk and appearance of the appeal proposals on the host building would primarily relate to the combination of both proposals, and in particular, to the addition of the proposed dormer extension.

5. While a combination of the proposals would lead to a significant increase in floorspace the footprint would be restricted mainly to that of the existing dwelling, including its existing single storey rear extension and conservatory. Building over the existing single storey extension would remove the balcony on the roof.

6. If the existing proposal for a dormer extension were implemented alone then this element would be more visually intrusive in views from properties to the rear of May House. This is because the revised design of the roof to the proposed rear extension would significantly soften the visual impact of the proposed dormer extension through the integration of hipped roof features. Accordingly, I do not regard the effect of the combined proposal either as being harmful to the appearance of the host dwelling or that it would be of a scale that is disproportionate.

7. The addition of a pitched roof to the garage to the side of the property will help improve the attractiveness of this element of the building when viewed from The Greenway. While some of the elements of the proposed extensions will be visible from the public highway including changes to the roof, I do not consider these effects would be harmful since there would be no reduction in the space between buildings on The Greenway.

8. When viewed from the rear, the variety of design, style and bulk of nearby properties including blocks of flats (such as Greenway Court and Mentmore) and offices are such that the proposed changes to May House would neither appear out-of-scale nor out-of-place. The surrounding buildings occupy generous sized plots so that buildings to the rear are a considerable distance from May House. Therefore, I do not find that the appeal proposals would have a harmful effect on the character and appearance of the wider area.

9. I conclude that the appeal proposal would not have a harmful effect on the character and appearance of either the host building or the surrounding area. Accordingly, the appeal proposals are consistent with Policies DM35 and DM36 of the Wycombe Local Plan (adopted August 2019). Policy DM35 deals with placemaking and design quality and seeks to ensure that all development improves the character of the area and demonstrates attractive, high quality design of an appropriate scale and form. Policy DM36 also seeks high quality of design in extensions and alterations to existing dwellings respectful of the character and appearance of the existing dwelling and surrounding area.

Conditions

10. I have considered the conditions attached to the original planning permission Ref 19/06914/FUL as well as in relation to the Framework and the PPG. All of the conditions are considered to be reasonable and necessary to make the approved development acceptable.

11. Condition 1 refers to the standard time limit with condition 2 defining the plans with which the scheme shall accord and, in this appeal enable the previously separately permitted proposals to be amalgamated. This will provide certainty regarding the scope of the permission. To safeguard the character and appearance of the host dwelling and surrounding area it will be necessary for external materials on all surfaces to match the existing (condition 3). Conditions 4 and 5 were attached to planning permission Ref 19/06914/FUL and I am satisfied, subject to minor amendments in order to comply with the Framework and PPG, these should also be applied to my decision. Condition 4 safeguards the privacy of occupiers of the adjoining properties and condition 5 seeks to ensure water run-off occurs on-site to avoid flood-risk.

Conclusion

12. For the reasons stated above the appeal is allowed, subject to conditions.

David Carter

INSPECTOR