The Planning Inspectorate

Appeal Decision

Site visit made on 14 July 2020

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th August 2020

Appeal Ref: APP/K0425/D/20/3248503
Tamarind, 29 School Close, High Wycombe, HP11 1PH

- 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 Mrs Naveeda Ali against the decision of Wycombe District Council.
- The application Ref 19/07075/FUL, dated 14 August 2019, was refused by notice dated 17 January 2020.
- The development proposed is householder application for construction of two storey side/rear extension and part single part first floor rear extension.

Decision

1. The appeal is allowed and planning permission is granted for construction of two storey side/rear extension and part single part first floor rear extension at Tamarind, 29 School Close, High Wycombe, HP11 1PH in accordance with the terms of the application, Ref 19/07075/FUL, dated 14 August 2019, subject to the following conditions:

    1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

    2) The development hereby permitted shall be built in accordance with plan numbers R259.01, R259.02 and R259.03A.

    3) The windows shown on the proposed side elevation shall only be installed as non-opening and in obscure glazing and shall remain as such thereafter.

Procedural Matter

2. The description of the proposal above is taken from the appeal form and reflects the Council's decision notice.

Main Issues

3. The main issues are:

    - the effects of the proposal on the character and appearance of the area and;
    - the effects of the proposal on the living conditions of 27 School Close.

Reasons

The effects on the character and appearance

4. The site is on the edge of High Wycombe town centre. It is towards the end of a well-established residential cul-de-sac, which has large dwellings in a mix of styles. The cul-de-sac appears verdant due to large front gardens, hedges, open grassed verges and mature trees.

5. The appeal dwelling is large, and the massing is broken towards one end. It also has extensive glazing across the frontage arranged horizontally. There is a spacious front garden behind a hedge.

6. The proposal is a side extension which would continue the existing roofline and form offshoots at the back. Similarly, to the front, the fenestration would largely repeat the existing pattern.

7. The proposal creates a longer front elevation; however, the doorway would appear in the centre and thus would appear balanced. The house would not appear overtly long as this is a small extension (which the Council quantifies as 2.5m). Moreover, the roofline is broken by an existing step at the other end of the frontage, which is perceived as a subservient element.

8. At the rear the extension would be continued by hipped and gabled offshoots beyond the main gable form. This would create a complex roofscape compounded by a Juliet balcony. However, these are small elements in relation to the overall form and would therefore not be particularly distracting. In any event, this elevation is not prominent from public view.

9. I therefore conclude that the proposal would not harm the character and appearance of the area. Policies CP9, DM35 and DM36 of the Wycombe District Local Plan (LP) seek to promote good design, sympathetic extensions and maintain the character of the area. Policy 6 of the Daws Hill Neighbourhood Plan (NP) has similar aims, whilst the Wycombe District Householder Planning and Design Guidance (SPG) has more detailed parameters on good design. Paragraph 127 of the National Planning Policy Framework (the Framework) also promotes design in conjunction with the National Design Guide. The proposal would accord with the above policies and guidance. Policy DM37 of the LP is orientated at small non-residential development, nonetheless the criteria can be more widely applicable, and the proposal does not conflict.

The effects on 27 School Close

10. I was able to consider the proposal directly from the garden of number 27 on my site visit. The side facing the neighbouring dwelling has no upper floor windows, whilst the ground floor has a glazed door and a secondary window which was covered at the time of my site visit.

11. Numbers 27 and 29 are in parallel alignment, with their aspects to the front and back. There is also a very tall evergreen hedge between them. The Council quantify the rear extension as a 3m protrusion beyond the building line, and there is also a notable gap between the dwellings. As a result, the proposal would not be significantly overbearing or overshadowing to the rear aspect. There would be an impact to the ground floor side windows but there is already

some shadowing here from the existing house and the tall hedge. I note the submitted drawings depicting the potential shadowing at various times which confirm my conclusion.

12. The tall evergreen hedge provides good privacy. On the side (facing) wall the only windows proposed would be small obscurely glazed en-suite windows.

13. The garden of number 27 extends across the width of the house. Whilst the proposal would shadow a small area at times, there would be a significant area unaffected for sitting out.

14. I therefore conclude that the proposal would not harm the living conditions of 27 School Close. Policies CP9, DM35 and DM36 of the LP seek to protect living conditions. This is echoed by Policy 6 of the NP and SPG. The proposal would accord with these policies and guidance, as well as Policy DM37.

Conditions

15. The Council suggested conditions in the case officer's report, which I have considered against the tests of paragraph 55 of the Framework and amended accordingly. The standard timing and approved plans conditions provide clarity and are therefore necessary. However, in respect of the plans condition 2, I have not included the "unless otherwise agreed wording" or the similarly the requirement to be retained which are unnecessary. The Council suggest a condition controlling the glazing of the side windows and this is necessary for the neighbours' privacy, albeit that the wording is simplified. The condition requires the windows to be fixed shut otherwise an opening could jeopardise privacy. Materials are stated on the application form to match existing and therefore such a condition is unnecessary. The Council also suggested a condition to prevent any additional windows being inserted in the side elevation. However, this is not an uncommon situation and any clear glazed upper storey windows would need permission, so this is unnecessary.

Conclusion

16. I therefore conclude that the appeal should be allowed.

John Longmuir

INSPECTOR