



Appeal Decision

Site visit made on 04 December 2020

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2020

Appeal Ref: APP/K0425/D/20/3258865

3 Gibley Walk, Woodburn Green, High Wycombe HP10 0QL

- 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 Khushi Ram against the decision of Buckinghamshire Council.
 - The application Ref 20/06318/FUL, dated 29 May 2020, was refused by notice dated 11 August 2020.
 - The development proposed is a single storey rear extension with flat roof and skylight. A porch to the front elevation with pitched roof.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension with flat roof and skylight and a porch to front elevation with pitched roof at 3 Gibley Walk, Woodburn Green, High Wycombe HP10 0QL in accordance with the terms of the application, Ref 20/06318/FUL, dated 29 May 2020, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The description of development on the application form was amended following submission of the application to "*Householder application for construction of single storey front and rear extensions*". The original description better reflects the development proposed. As such, I have referred to the original description for the purposes of this appeal.

Main Issues

3. The main issues are the effect of the proposal on the living conditions of the occupants of neighbouring properties and the effect of the proposal on highway safety.

Reasons

Living conditions

4. The appeal site is terraced dwelling in a predominantly residential area, with some industrial buildings to the north east. The building line of the terrace is stepped so that the adjacent property, no. 2 Gibley Walk, projects beyond the plane of the appeal site at the rear. No.2 also benefits from a single storey flat-roof extension to the rear. The other neighbouring property, no. 4 Gibley Walk, has the same building line as the appeal site and is extended upwards rather than outwards.

5. The Wycombe District Council Household Planning and Design Guidance Supplementary Planning Document (the SPD) (adopted 2020) says that extensions will not be permitted where they would adversely affect the amount of light to a neighbouring property's nearest habitable room. To assess the effect of proposals, the SPD suggests drawing a 60-degree line from the centre of the nearest window of the habitable room; if the proposal intervenes in that line, the light to the window is likely to be affected. The appeal proposal would intervene in the 60-degree line of the nearest window of no. 4 Gibley Walk.
6. However, that habitable room also benefits from large patio doors closer to the boundary with no. 6 Gibley Walk. As such, the proposed is unlikely to have any unacceptable loss of light to the habitable room of no.4 Gibley Walk. Therefore, the proposal would not have an unacceptable overshadowing impact and would not result in an unacceptable loss of light to neighbouring properties.
7. Given the single storey height of the proposal and its limited depth, it would not have an overbearing effect on neighbouring properties. This is demonstrated by the similar relationship between the appeal site and the extended no.2 Gibley Walk.
8. For these reasons, I conclude that the proposal would not adversely affect the living conditions of occupiers of neighbouring properties, in accordance with policies DM36 and DM35 of the Wycombe District Local Plan (adopted 2019) (LP). These policies seek, amongst other things, to prevent significant adverse impacts on the amenities of neighbouring land and property.

Highway safety

9. The proposed extension would allow the creation of an additional ground floor bedroom to meet the needs of the Appellant's family. This would result in a four-bedroom, seven-habitable-room property. The Buckinghamshire Countywide Parking Guidance (BCPG) indicates that a property of this type should provide three vehicle parking spaces. The existing property has two vehicle parking spaces in a garage block and due to the layout of the site fronting a pedestrian path rather than a road, there is no scope to provide more.
10. The BCPG indicates that the circumstances of an application should be taken into account, for example if a property is open-plan, the overall size of the property should be considered rather than simply the total number of rooms. In this case, the host dwelling would only feature a modest extension, with a ground-floor single bedroom being created out of part of the extension to meet the specific needs of the occupiers. The resultant additional space and modest overall size of the existing host dwelling is unlikely to result in a much greater demand for vehicle parking.
11. Moreover, the property is situated in a residential area which has ample availability of unrestricted street parking. Should a small additional demand for vehicle parking arise, such additional on-street parking would not result in an unacceptable impact to highway safety.
12. For these reasons, I conclude there would be no adverse impact on highway safety as a result of the proposal, in accordance with Policy DM33 of the LP and the guidance contained in the Framework. Policy DM33 seeks, amongst other

things, to ensure there are no significant adverse impacts from overspill parking.

Conditions

13. I have imposed the standard 3-year time limit and approved plans conditions to ensure the development takes place in a timely manner in accordance with the details of the proposal.

Conclusion

14. For the reasons set out above, I conclude that the appeal proposal accords with the relevant policies of the Development Plan and that the appeal should be allowed, subject to conditions.

Kim Langford Tejrar

INSPECTOR

Schedule of 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: 269-01 Edition 01 and TQRQM20080114716991.