



Appeal Decision

Site visit made on 14 December 2021

by Peter White BA(Hons) MA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2022

Appeal Ref: APP/X0415/D/21/3283579

Wardley, 57 Orchard Way, Holmer Green, HP15 6QU

- 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 R Booth against the decision of Buckinghamshire Council.
 - The application Ref PL/21/2679/FA, dated 5 July 2021, was refused by notice dated 31 August 2021.
 - The development proposed is 'single storey rear extension rear first floor extension and two front dormers'.
-

Decision

1. The appeal is allowed and planning permission is granted for Single storey rear extension rear first floor extension and two front dormers at Wardley, 57 Orchard Way, Holmer Green, HP15 6QU in accordance with the terms of the application, Ref PL/21/2679/FA, dated 5 July 2021, and the plans submitted with it, 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: A1.4 Rev1, A1.5 Rev1 and A1.6 Rev1.
 - 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) The extensions hereby permitted shall not be occupied until the first-floor windows on the east and west elevations of the dwelling have been fitted with obscured glazing. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.

Preliminary Matters

2. The Council describe the development as, "Single storey side / rear infill extension, side / rear roof extensions to enlarge first floor accommodation, two front dormers, additional windows to first floor side elevations, Juliet balconies to rear, removal of chimney". The development is essentially rear and roof extensions to the existing dwelling.

Main Issue(s)

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site (No.57) is one of a row of detached dormer bungalows with hipped roofs located opposite industrial buildings. It is situated within a wider area characterised by a mix of housing types. The appeal site and the two dwellings to the east sit behind established evergreen hedges which reduce their visibility from the street.
5. Like other dormer bungalows along the road No.57 has a complex roof structure based on a hipped roof design. The Council have no objection to the hip-to-gable element of the proposal, which will alter the character of the dwelling as seen from public areas, but objects to the rear extension and crown roof design.
6. Once the hip-to-gable element of the proposal has been carried out there will be only limited visibility of the side elevations as seen from the street. The crown roof construction follows the pitch of the existing roof and will be seen as a similar feature, albeit higher. The rear extension would increase the width of the rear of the dwelling, and the rear roof structure would be higher and bulkier. However, given its limited visibility beyond the new gable it would not appear at odds with the surrounding environment and would not be harmful to the character of the dwelling or the area.
7. The crown-roof design will be seen clearly from the rear garden of the appeal site and from the adjoining gardens but, given the alignment of the houses in this row, it will not be visible as a design feature from the adjacent dwellings. Due to significant vegetation along the rear gardens, visibility from the dwellings beyond the garden will also be very limited.
8. There would therefore be no material harm to the character and appearance of the area or the dwelling. The development would therefore accord with Chiltern District Local Plan 1997 (including alterations 2001) (consolidated 2007 and 2011) Policies GC1, H13, H15, H16 and H18 and Core Strategy for Chiltern District 2011 Policy CS20 which relate to design, environmental quality and residential extensions. It would also accord with the Chiltern District Council Residential Extensions and Householder Development Supplementary Planning Document 2013 which provides guidance on these matters as they apply to residential extensions.

Other Matters

9. I have considered the effects of the development on the living conditions of the occupier of 59 Orchard Way (No.59) with particular regard to outlook and light. No.59 has a number of windows and a half-glazed door along its side elevation. The new gable wall would be fairly prominent from some windows, and would reduce daylight and sunlight to a degree. However, I note that the Council have no objection to this element of the proposal and I agree that these impacts would not unacceptably reduce light or harm the outlook from No.59. Given the greater set-back of the gable end on the western side the dwelling there would also not be a harmful impact on the occupiers of number 55 Orchard Way.
10. I have also considered other matters raised by the Parish Council including the potential privacy impacts on the occupiers of the adjoining dwellings, and concerns that it is overdevelopment. Two small windows are proposed to serve

bathrooms on the first floor on each of the gable ends facing neighbouring dwellings. I note the small size of these windows serving bathrooms, but they could afford intervisibility between windows on the adjoining dwellings on either side. A planning condition could require these windows to be obscure glazed. Having considered the effects of the development I have not found harm arising from the amount of development proposed.

Conditions

11. I have had regard to the conditions suggested by the Council. I have set out the standard time limit for implementation and the approved plans for certainty. In the interests of good design, I have required the materials to match the existing dwelling. I have specified that the windows in the side elevations should be fitted with obscure glazing, in accordance with a scheme to be agreed, in the interests of the living conditions of neighbouring occupiers. Such details should be agreed prior to the first occupation of the extensions permitted and the approved glazing shall be retained thereafter.
12. The Council have also requested a condition to require planning permission for any new windows on the side elevations of the extensions above ground floor level. However, such a condition is not necessary as the Town and Country Planning (General Permitted Development) (England) Order 2015 contains suitable provisions in that event.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed.

Peter White

INSPECTOR