
Appeal Decision

Site visit made on 9 November 2021

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2022.

Appeal Ref: APP/K0425/D/21/3282063

15 Squirrel Lane, High Wycombe HP12 4RX

- 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 Richard Sylvester against the decision of Buckinghamshire Council.
 - The application Ref 21/06613/FUL, dated 20 May 2021, was refused by notice dated 19 July 2021.
 - The development proposed is the erection of a single storey rear extension, conversion of outbuilding and connection to proposed extension.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension, conversion of outbuilding and connection to proposed extension at 15 Squirrel Lane, High Wycombe HP12 4RX in accordance with the terms of the application Ref 21/06613/FUL, dated 20 May 2021, subject to the conditions set out in the schedule to this decision.

Main issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of 17 Squirrel Lane with particular regard to light.

Reasons

3. The proposal is to introduce a ground floor extension with a mono pitched roof to the rear of the appeal property, which is a 2-storey house in a mainly residential area. The new addition would extend across the full width of the main house and link with an existing flat roof outbuilding, which would also be converted to provide a utility room.
4. The sidewall and roof of the proposal would be up to and parallel with the boundary between No 15 and the attached property, which is 17 Squirrel Lane. Due to its height, rearward projection and position, the new extension would reduce the amount of natural light reaching the ground floor window of No 17 nearest to the shared boundary with the site, which is hereafter referred to as 'the window'. From what I saw, the window appears to serve a habitable room.
5. The Council's Householder Planning and Design Guidance Supplementary Planning Document (SPD) states that rear extensions should not significantly alter the existing levels of sunlight and daylight to neighbouring properties.

6. However, in this case, the rear of No 17 occupies an elevated position relative to the site due to the notable difference in ground levels. The light reaching the window would already be affected to a large degree by the fence that marks the rear boundary between Nos 15 and 17. In addition, the rear aspect of No 17, which broadly faces south, would continue to provide a significant amount of sunlight to the window. In combination, these factors would ensure that the additional loss of natural light due to the proposal would be modest and not so great as to be appreciable to the occupiers of No 17.
7. The Council also states that the proposal would project well beyond a line drawn at 60-degrees from the window, to which its SPD refers. In assessing the effect that extensions may have upon the light levels to adjacent properties, the SPD notes that the Council will have regard to the 60-degree guideline. It also states that consideration should be given to a change in levels and whether or not the neighbouring property is north or south facing. Having had regard to all of these points, and taking into account my findings in relation to natural light outlined earlier, a conflict with this design standard on this particular occasion is insufficient in itself to withhold planning permission.
8. On the main issue, I therefore conclude that the proposed development would not cause significant harm to the living conditions of the occupiers of No 17. As such, it does not conflict with Policies DM35 and DM36 of the Wycombe District Local Plan or the Council's SPD. These policies and guidance require that all new development does not have a significant adverse impact on the amenities of neighbouring land and properties.

Conditions

9. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, a condition is imposed to require that the external materials match those of the existing building, as proposed.
10. An additional condition has been suggested by the Council to the effect that the development must comply with the details given on the application and plans. However, this requirement would largely duplicate the above conditions. It is therefore unnecessary and has not been imposed.

Conclusion

11. For the reasons set out above, I conclude that the appeal should be allowed.

Gary Deane

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Refs 01, 02, 03 and 04.
- 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.