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## 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.**

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**Appeal Ref: APP/J0405/D/21/3281708**

**3 Marroway, Weston Turville HP22 5TQ**

- 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 Steven King against the decision of Buckinghamshire Council.
  - The application Ref 21/02048/APP, dated 14 May 2021, was refused by notice dated 9 July 2021.
  - The development proposed is a hip to gable loft conversion including 2no front dormers, part single storey/part two storey/part first floor extension.
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### Decision

1. The appeal is allowed and planning permission is granted for a hip to gable loft conversion including 2no front dormers, part single storey/part two storey/part first floor extension at 3 Marroway, Weston Turville HP22 5TQ in accordance with the terms of the application Ref 21/02048/APP, dated 14 May 2021, subject to the following 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 McA-3MW-100-R0, 20-KIN-01, 20-KIN-02, 20-KIN-03 and the drawings entitled Site Location Plan and Proposed Site Plan.
  - 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.

### Procedural matter

2. Since the appeal was lodged, the Council has adopted the Vale of Aylesbury Local Plan 2013-2033 (VALP), which now forms part of the development plan. The VALP policies replace those in the Aylesbury Vale District Local Plan, to which the submitted evidence refers. Relevant policies are those that are in place at the time the appeal decision is made. Therefore, I shall refer to the VALP. Both main parties have been given the opportunity to submit comments in the light of the VALP, although none have been received.

### Main issue

3. The main issue is the effect of the proposed development on the living conditions of the occupiers of 1 Marroway with particular regard to visual impact, outlook and light.

## Reasons

4. The proposal is to enlarge the appeal property, which is a semi-detached dwelling within a predominantly residential area, with extensions on all three sides. Two front dormers are to be introduced onto the front roof slope of No 3. A hip to gable extension is proposed to the main part of the house together with a sizeable extension to the side and rear of the dwelling. The outbuildings including a garage at the back of the appeal property would be demolished and removed to make way for the new building.
5. Part of the new side and rear extension would be close to the rear boundary between the site and the adjacent property on one side, which is 1 Marroway. As No 1 is closest to the proposal, it is the occupiers of this neighbouring dwelling that are most likely to be affected by it. The new addition would be noticeably taller than the garage to be replaced with a lengthy flank wall that would project well beyond the rear elevation of No 1. As a result, some of the outdoor space at the back of No 1 would be partly enclosed by the proposed extension. The upper part of the new sidewall and roof would be evident from here because it would project well above the fence that marks the boundary between Nos 1 and 3. It would also be visible from the rear windows of No 1.
6. Compared to the garage to be replaced, the proposal would introduce an increase in built form close to the common boundary with No 1. Nevertheless, the main direction of outlook from the rear windows of No 1 and the outside area closest to the house would be across its long and spacious back garden, and that would not be significantly affected. Consequently, the presence of the new extension, while evident, would not be so great as to dominate outlook or be so imposing as to overbear on the occupiers of No 1.
7. As the rears of both Nos 1 and 3 broadly face north to northwest, there would be no significant loss of sunlight as a result of the proposal. Given the separation distance between the new extension and the rear windows of No 1, any loss of daylight reaching these windows due to the appeal scheme would not be appreciable to the occupiers of this neighbouring property.
8. On the main issue, I conclude that the proposed development would not cause significant harm to the living conditions of the occupiers of No 1. As such, it does not conflict with VALP Policy BE3 or the Council's Design Guide: Residential Extensions insofar as they aim to safeguard residential amenity. It also complies with the policies of the National Planning Policy Framework, which require, amongst other things, that developments achieve a high standard of amenity for existing and future users.

## 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.

## Conclusion

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

*Gary Deane*      INSPECTOR