



Appeal Decision

Site visit made on 3 February 2022

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7TH February 2022

Appeal Ref: APP/J0405/D/21/3284742

3 Hordern Close, Haddenham HP17 8NA

- 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 Linda Youens against the decision of Buckinghamshire Council.
 - The application Ref 21/01410/APP, dated 31 March 2021, was refused by notice dated 4 August 2021.
 - The development proposed is a single storey extension to the front of the property.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey extension to the front of the property, at 3 Hordern Close, Haddenham HP17 8NA, in accordance with the terms of the application, Ref 21/01410/APP, dated 31 March 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: LYO-001 00, LYO-002 00, LTO-011 01 and LYO-021 02.
 - 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.

Main issue

2. The main issue in this appeal is the effect on the living conditions of the occupiers of the neighbouring dwelling at 2 Hordern Close, with regard to light levels and outlook.

Reasons

3. The appeal concerns a two storey mid terrace dwelling. It is advised in the Council's Residential Extensions Design Guide (REDG), Adopted May, 1991 that:
4. "The Council will not normally grant permission for a front extension (either at single or two storeys) which protrudes beyond a 45 degree line (drawn in the horizontal plane) from the nearest part of the nearest window in a neighbouring house".

5. The proposed single storey extension would abut the boundary with the attached dwelling at the front and also be fairly close to a lounge window. In this situation there would clearly be some reduction in daylight and outlook, with the addition projecting beyond a 45 degree line taken from the adjacent window.
6. Nevertheless, during my site visit I considered the effect of the proposal from the neighbouring dwelling and saw that there are several more glazed openings towards the other end of the affected room. These comprise fairly large glazed doors, two rooflights and another relatively generously sized window. Moreover, the front window would still provide some light and a degree of outlook despite the extension.
7. In consequence, the overall light levels and outlook in the lounge would still be of a more than acceptable standard. As a result, there would be no reduction in light levels or overbearing and tunnelling effect sufficient to justify rejecting the appeal. This would be the case despite the affected window being the only opening at the front of this room. In these circumstances the guidance in the Council's REDG should not be strictly applied.
8. For these reasons, it is concluded that the living conditions of the occupiers of the adjacent dwelling would not be harmed. The scheme would comply with Vale of Aylesbury Local Plan Policy BE3 and the National Planning Policy Framework, which seek to ensure satisfactory and high standards of amenity for existing and future residents.
9. The REDG indicates that small additions which will not harm the quality or character of the building are generally permissible. In this case matters such as the fairly modest single storey size and scale, materials to match the existing dwelling and sympathetic form reflected in the sloping roofs ensure that there would be no adverse impact.
10. Taking account of all other matters raised, it is determined that the appeal succeeds. A condition specifying the approved plans is necessary to provide certainty. The Council suggests a condition that the facing materials used should be as shown on the submitted drawings. However, it is indicated on these that the materials to be used should match those of the existing building and I shall simply impose a condition to this effect. This is needed to protect the appearance of the dwelling and the streetscene.

M Evans

INSPECTOR