The Planning Inspectorate

Appeal Decision

Site visit made on 24 May 2022

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 21ST June 2022

Appeal Ref: APP/K0425/D/21/3289509
6 Perch Close, Marlow SL7 2BQ

- 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 Stuart Bartlett against the decision of Buckinghamshire Council (Wycombe Area).
- The application Ref 21/06952/FUL, dated 24 June 2021, was refused by notice dated 9 November 2021.
- The development proposed is described as a single storey side and rear extension; first floor extension with pitched roof incorporating flat roofed side dormer creation of parking area widening existing vehicular access.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development upon:

   - The existing building and the character and appearance of the locality; and
   - The living conditions of existing and future occupiers adjacent the appeal site, with particular regard to privacy.

Reasons

Character and appearance

3. The appeal site is located to the end of Perch Close, a residential cul-de-sac which enables access to six bungalows that are positioned around the cul-de-sac. Perch Close is part of a larger residential estate which has Pound Lane as the main spine road that appears to have been developed in the mid-late twentieth century. The estate contains groupings of detached single and two storey dwellings with a functional design where main components of the dwellings have gabled roof forms fronting the street, feature components of timber boarding to the front façade, concrete roof tiles and the use of brown and cream brick. There appears to be three main dwelling types which are grouped together, two storey dwellings; one and a half storey dwellings with accommodation in the roof space; and single storey bungalows.

4. Throughout the estate there is an emphasis on spaciousness and vegetated surrounds with well vegetated front gardens and taller trees to the rear, the tops of which can be seen through gaps in between the setbacks of dwellings and over single storey garages. These details create positive elements which reflect the qualities of character, appearance and local distinctiveness for this

particular location. Whilst there is evidence of extensions and alterations seen throughout the estate, they are generally subservient to the main dwelling and retain the positive characteristics which contribute to local distinctiveness.

5. The appeal site is one of the original characteristic detached bungalows constructed as part of the residential estate in a functional design. Perch Close is characteristically low scale, consisting of a group of 6 bungalows positioned around the cul-de-sac. I disagree with the appellant's Statement of Case (Soc) that the appeal site is unique in it's positioning and should not be seen as part of the larger group of dwellings along Perch Close. It is clear to me the experience of Perch Close that the bungalows positioned around the cul-de-sac are experienced as a uniform and homogenous group of dwellings which were designed and constructed together and maintain the same design with brown brick, main feature gable fronting Perch Close with white feature boarding over the front window. The dwellings maintain a narrow driveway with the majority of dwellings having vegetated front gardens or laid to lawn as in the appeal site. To the north of the appeal site, are a grouping of two storey dwellings which front Pound Crescent, where No.s 4, 6 and 8 share their rear boundary with the appeal site.

6. In undertaking extensions to existing buildings, the Wycombe District Local Plan 2019 (LP) CP9 and Policy DM35 seeks to encourage a sense of place by encouraging development that provides positive characteristics such as understanding context, be high quality in and character in form, scale, layout and detailed design and the spaces around them, amongst others. LP Policy DM36 gives specific policy for extensions to existing dwellings where subservience, context and existing character are important considerations. These policies are supported by the Householder Planning and Design Guidance Supplementary Planning Document (SPD) which offers guidance on specific elements of designing extensions and alterations, taking into account context, character, subservience and scale, amongst others.

7. The SPD seeks that additional storeys or raised roofs may be permitted on detached properties where they respect the scale, continuity, roofline and general appearance of the street scene, including its topography and where flat roof forms are generally not appropriate. The proposed extension would add another floor to the existing dwelling, maintaining the main gable to the front of the dwelling, with the addition of a flat roofed component which appears to be labelled as a 'dormer window' within the application description.

8. Whilst maintaining the same footprint as the existing dwelling, the proposal could not be seen as being subservient to the existing dwelling given the proposed design would envelop the existing building. The proposed square box-like structure to the side could not be described as a 'dormer' given that it is not confined to the roof plane and has a cluttered appearance with a high flat wall to the side of the roof that would divert from the functional design and roof form. I appreciate that No.8 Pound Crescent has a two storey wall along the side boundary which marks the entrance to Perch Close, however this is not comparable to the box-like addition to the roof of the proposed dwelling. The proposed scheme would be the only dwelling within the grouping of 6 bungalows and would disrupt the current low scale characteristics as experienced within this cul-de-sac. As such, the proposed scheme would not embrace the positive qualities which contribute to the character, appearance and local distinctiveness of the area.

9. I agree with the appellant's Statement of Case (SoC) that the area is not protected via any designations such as Conservation Areas and is not of exceptional architectural merit, however LP Policy DM35, and DM36 and the SPD seek that character is an important consideration; it is not determinant on whether the dwellings are of high architectural merit. I also appreciate the design elements such as the brickwork and feature cladding which aims to gain similarities to positive qualities found within the estate, however the design is quite fussy in its approach which is detrimental to the character and form of existing dwellings, drawing unnecessary attention to the proposed development within the street scene which comprises of symmetry and low scale characteristics. It is quite clear to me that the appeal site forms a group with the other bungalows along Perch Close; and whilst there are two storey dwellings to the north, these dwelling which comprise a different colour of brick, design and face Pound Crescent are not experienced within the same street scene or grouping as the appeal site.

10. I also appreciate that Pound Crescent contains different dwelling types seen together, such as at the hammerhead to the end of Pound Crescent which contains both two storey and single storey dwellings around the end of the cul-de-sac. In this particular scenario the character is a mix of dwelling types, and is not comparable to Perch Close which has an inherent character that is low scale and consists of bungalows.

11. In conclusion of this matter, the proposed extensions would be clearly disproportionate and would be harmful to the character and appearance of the existing building, and the local distinctiveness of the locality. The proposed scheme would therefore be contrary to LP policies CP9, DM35, and DM36, which are supported by the SPD as described previously.

Living Conditions

12. The dwellings in the greater estate have relatively small plots and as also witnessed on my site visit; there are already elements of overlooking, particularly towards the site from the two storey dwellings surrounding the site such as No.s 4, 6 and 8 Pound Crescent to the side of the appeal site and No.19 Pound Lane to the rear. It is unclear whether the single storey nature of the appeal site was a design choice to reduce the amount of overlooking between properties. Interestingly, nearby No.s 4 and 8 Trout Close are in in similar position to the appeal site with regards to being adjoined by 2 storey dwellings along one side and these two dwellings are also bungalows situated around a cul-de-sac like the appeal site.

13. Despite this, when considering impacts towards living conditions, the SPD seeks that attention is given to views over private spaces of adjoining properties and windows, with a suggested distance of 25 metres as per the Residential Design Guide 2017. It is noted that this is not an absolute figure and may be different according to site surroundings and characteristics. Interested parties who have made comments regarding the application comment on the amount of overlooking there is currently, and the ability to see into each other's gardens and homes. Having visited the site, I would also agree that there is a high level of perceived overlooking of the subject site, particularly from the surrounding two storey dwellings.

14. I appreciate that the proposed extension would maintain the same distance between the surrounding dwellings as currently, however the additional storey

would increase the perception of overlooking, particularly from the rear window into neighbouring properties, particularly No.s 2 and 4 Pound Crescent to the side of the appeal site and No.19 Pound Lane to the rear.

15. I appreciate that there is a willingness of the appellant to have the rear windows obscurely glazed, however given that the floor plans show that the rear windows would be the only source of natural light for these rooms, the obscuring of the windows would be harmful to the living conditions of these proposed rooms at first floor level. I also appreciate that boundaries could be screened via the use of planting as per the boundary of 6 Perch Close, however this would not be a suitable condition to be able to monitor or enforce.

16. Consequently, and in conclusion of this matter, the proposal would cause significant adverse detriment towards the living conditions of existing and future occupiers adjacent the appeal site, with particular regard to privacy. The scheme would therefore be contrary to LP Policy DM35 which seeks that development not cause significant adverse impacts to the living conditions of surrounding residents.

Other Matters

17. I note comments in the appellant's SoC with regards to the prior approval process whereby Part 1, Class AA allows a fast-tracked process for granting additional stories to existing dwellings which the appellant has commented could be a fall-back position and that an application is currently pending for the scheme as attached to the appendix of the SoC. It is noted that the appeal proposal and the proposal put forward under the prior approval process are both two storey development, however are considerably different with the appeal proposal going further than what would be permitted under the prior approval process.

18. It is also noted that the prior approval process also requires an assessment by the Council as to any impact towards the living conditions of surrounding residents, such as overlooking, as well as the external appearance of the property. Whilst I have not been updated with regards to the result of this pending prior notification application, as shown in this appeal there are concerns from both a character and appearance perspective and from a living conditions perspective. Taking the above into account, I am not persuaded that there is a fall-back position as indicated by the appellant and as such would not form a material consideration to this proposed scheme.

19. I note comments from interested parties with regards to impacts towards living conditions as a result of overshadowing and overbearing development; precedent; disturbance during construction; reduction of stock of bungalows; and height restrictions in the area. Height restrictions are not planning considerations in this case, for example if included on a covenant of sorts. Whilst I appreciate that the increased height would cause changes to the experiences of the area, the Council have not objected to the scheme on the basis of it being significantly overbearing or causing a loss of light from overshadowing. I have no reason to disagree with the assessment made by the council.

20. Whilst the change of bungalow to a two storey dwelling would result in a loss of a bungalow from the housing mix, the Council has not commented on this or appear to have a policy in place which seeks to retain particular housing

tenures according to elements of housing need. Given that the appeal has failed on two grounds, it is not required to go into further detail with regards to impacts towards housing mix. With regards to construction noise, if such a development would be acceptable then applicable conditions could be placed to ensure that impacts during construction could be appropriately managed.

21. I also note discussion around precedent which is also mentioned in the Council refusal reasons. Whilst each planning application and appeal must be considered on its own merits, I can appreciate the Council's and interested parties' concerns that approval of this proposal could be used in support of similar schemes in residential locations. I consider that this is not a generalised fear of precedent, but a realistic and specific concern given the nature of properties in the area. Allowing this appeal would make it more difficult to resist further planning applications for similar development and I consider that their cumulative effect would exacerbate the harm which I have described above.

Conclusion

22. Taken and a whole, and for the reasons given above, I conclude that the appeal is dismissed.

J Somers
INSPECTOR