
Appeal Decision

Site visit made on 25 July 2022

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 August 2022

Appeal Ref: APP/K0425/D/22/3292037

7 Squirrel Rise, Marlow Bottom SL7 3PN

- 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 and Mrs David Hutchins against the decision of Buckinghamshire Council.
 - The application Ref 21/07608/FUL, dated 25 August 2021, was refused by notice dated 15 November 2021.
 - The development proposed is a 2 storey side and rear extension with a larger dormer to the north-east elevation.
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Decision

1. The appeal is allowed and planning permission is granted for a 2 storey side and rear extension with a larger dormer to the north-east elevation in accordance with the terms of the application Ref 21/07608/FUL, dated 25 August 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: 1859/01 and 1859/02A.
 - 3) The materials to be used for the external surfaces of the extension and alterations hereby permitted, including walls, roofs, doors and windows, shall be in accordance with the schedule of materials in the application form and the details of the approved plans.
 - 4) Before the first occupation of the extension hereby permitted the first floor windows on the north-east elevation serving the bathroom and en suite as detailed on approved drawing 1859/02A shall be fitted with obscured glazing and any part of the windows that is less than 1.7 metres above the floor of any room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.
 - 5) All first floor and loft level rooflights in the south-western elevation of the extension hereby permitted shall be fitted with obscured glazing and any part of a rooflight that is less than 1.7 metres above the floor of any

room in which it is installed shall be non-opening. The rooflights shall be permanently retained in that condition thereafter.

- 6) The extension hereby permitted shall not be occupied until a bird nesting box has been provided at the site in accordance with details first submitted to and approved by the Local Planning Authority. The bird box shall thereafter be retained for the lifetime of the development.

Main issues

2. The main issues are the effects of the proposal on:

- i) The character and appearance of the dwelling and Squirrel Rise and the built heritage and natural beauty of the Chilterns Area of Outstanding Natural Beauty (AONB); and
- ii) Living conditions at neighbouring properties.

Reasons

Character and appearance

3. Squirrel Rise is a steeply sloping suburban residential street with a mix of detached dwellings, located in a built-up part of the town and within the designated AONB. No 7 is positioned part-way up the hill and, like many of the other buildings here, is a gable fronted dormer bungalow. The proposal is to demolish a flat roofed garage at the side and build a side and rear extension that would provide ground and first floor accommodation. It also includes a wooden bin and cycle store, to which the Council raises no objection.
4. The Council's *Householder Planning and Design Guidance* Supplementary Planning Document (SPD) advises that side extensions require a sensitive approach, with particular reference to the importance of the space between detached dwellings. The proposal would retain adequate spacing to the next house, maintaining views through to a wooded hillside in the distance. It would furthermore be set back from the main frontage and set down from the main roof so that it would be visually subservient, in line with the SPD's guidance. It would fit in well with the street scene on Squirrel Rise where a number of other buildings have a similar form.
5. The extension would continue to the rear, where it would wrap around the whole of the rear elevation, creating a much longer building. The rear section would not, however, be prominent in any public views and would be seen in the context of the much higher ground and buildings further up the hill. It would accord with the SPD's guidance on the depth of rear extensions. Although the height of part of the rear extension would be as high as the main roof, contrary to the SPD's advice, this would not be visually harmful in this situation.
6. The SPD also advises that dormer windows can have a serious impact on the appearance of a dwelling, as the roof is a highly visible part of a building, so that they should be located on the rear of dwellings and kept as small as possible. Like other properties on Squirrel Rise, No 7 has a side facing dormer. In this context, such dormer constructions are not out of character. Although a much longer construction is proposed here, the extended dormer would nevertheless sit well within the roof slope and would not be intrusive or incongruous in any views.

7. Policy DM30 of the Wycombe District Local Plan (LP) requires development to, amongst other things, conserve the natural beauty of the AONB and deliver the highest quality design which respects the natural beauty and built heritage of the Chilterns and enhances the sense of place and local character. The Chilterns Conservation Board provides informal design guidance for the AONB in the Chilterns Buildings Design Guide (BDG). This includes consideration of the scale and form of a building in relation to its neighbours. I find that the proposed extension, set within a modern residential area, would not have any significant effect on the natural beauty or built heritage of the AONB. It would furthermore be of appropriate design, form and scale to complement existing local character.
8. I conclude that the proposal would not harm the character and appearance of the dwelling and Squirrel Rise or the built heritage and natural beauty of the AONB. It therefore accords with the aims of LP policies DM30, DM35 and DM36, the SPD and the BDG, to secure high quality design.

Living conditions

9. The Council's concern here is about the effect on the outlook from 11 Squirrel Rise. Although that property would be close to the new rear extension, it is at a much higher level so would look out over the roof of the extension. The proposal would not therefore be significantly intrusive or overbearing on No 11's outlook.
10. The neighbour at No 5 is concerned about loss of light and privacy. The proposed extension, although uphill from No 5, would be set to the north of that property so that there would be no significant loss of direct sunlight. There would also be little effect on daylighting (general light from the sky) at the back of No 5 as the extension would not stretch very far past No 5's rear wall. No 5's side facing dormer window would lose some light, but even that room should continue to receive a reasonable amount of daylight. Privacy in the rear garden of No 5 can be protected by requiring obscure glazing of new openings on the facing side of the extension.
11. I conclude that the proposal would not harm living conditions at neighbouring properties. It therefore also accords with the aims of LP Policy 36 and the SPD, to preserve the amenities of neighbours.

Conditions

12. I impose a condition specifying the relevant plans to provide certainty and a condition controlling external materials to protect local character and appearance. Conditions requiring obscure glazing and non-opening of new side windows and rooflights are needed to protect neighbours' privacy. Finally, a condition requiring the provision of a bird nesting box is reasonably required to compensate for the potential loss of biodiversity in accordance with LP Policy DM34. I am not convinced, however, that this condition needs to require a replacement tree because the existing trees are not substantial and could be felled in any case. I have amended the Council's suggested conditions in places, for clarity.
13. The Council suggests a further condition restricting normal permitted development rights for new side windows, also to protect neighbours' privacy. This is not necessary due to the provision in the Town and Country Planning

(General Permitted Development) Order 1995 which requires obscure glazing and limits openers for new first floor side windows. The Council also suggests a condition controlling parking provision. Although the proposal would cause the loss of a garage, it would not otherwise affect parking provision and I see no clear need for this condition.

Conclusion

14. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR