



Appeal Decision

Site visit made on 15th December 2022

by Megan Thomas K.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 10 January 2023

Appeal Ref: APP/K0425/D/22/3306229

1 Green Hill, High Wycombe, Buckinghamshire HP13 5QJ

- 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 Arnaldo Pierre against the decision of Buckinghamshire Council.
 - The application Ref.22/06106/FUL, dated 21 April 2022, was refused by notice dated 22 June 2022.
 - The development proposed is a householder application for the erection of a two storey side/rear extension and new front porch.
-

Decision

1. The appeal is allowed and planning permission is granted for a householder application for the erection of a two storey side/rear extension and new front porch at 1 Green Hill, High Wycombe, Buckinghamshire HP13 5QJ in accordance with the terms of the application, ref.22/06106/FUL, dated 21 April 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: DRG.01 (Location Plan), DRG.02 (Existing Floor Plans and Elevations), DRG.03 (Proposed Floor Plans) dated April 2022 & DRG.04 (Proposed Elevations) dated April 2022.
 - 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 dwelling.

Main Issue

2. The main issue in the appeal is the effect of the proposed side/rear extension on the character and appearance of the host dwelling and the wider area. The acceptability of the proposed front porch is not in issue.

Reasons

3. No.1 Green Hill is a two storey dwelling. Its front façade faces north towards Green Hill. It has a rear garden. It is situated east of the junction of Green Hill and Hughenden Road. Both are within the built-up envelope of the town of High Wycombe. The immediate area is characterised by detached and semi-detached dwellings.
4. No.222 Hughenden Road is a corner property and, broadly speaking, it is perpendicular to the appeal site with its rear elevation orientated towards the side (west elevation) of the dwelling on the appeal site. It has off-road parking which is accessed from Green Hill directly adjacent to the appeal site.
5. There is a generous distance between rear elevation of no.222 and the edge of the appeal site plot – it is about 15m. In addition, the appeal site sits on higher land, above 222 Hughenden Road.
6. The proposed development includes the erection of a side/rear part single storey, part two storey extension which would be stepped back from the front elevation of no.1 and would be situated close to its existing western elevation. It would extend beyond the rear elevation of the dwelling and would involve the demolition of an outbuilding. The proposed western elevation would sit close to part of the common boundary with 222 Hughenden Road and would be partly single storey (towards the rear) and partly two storey in height. It would have a pitched hipped roof over the two storey element and a shallow pitched roof on the single storey element.
7. The proposed western elevation where it would be two storeys in height would be flush, i.e. the proposed first floor element would not step back eastwards so that the first floor element would be more distant from no.222 Hughenden Road than the ground floor element. Having considered a number of factors I do not consider this would cause harm to the character or appearance of the host dwelling or the area. The resulting dwelling on the appeal site would not be disproportionately large and would not dominate the Green Hill streetscene. The proposed extension would be recessed and not prominent or cramped when viewed from the street and the plot would retain a sufficient sense of openness.
8. The separation distance from the proposed western elevation and the existing rear elevation of no.222 Hughenden Road would be sufficient to avoid an overbearing impact on the occupants of no.222. Whilst the land rises towards no.1 Green Hill, the two storey element of the proposed development would not be of an overall height, width, mass or proximity to be detrimental to the enjoyment of the rear amenity space of no.222. I am supported in this by the fact that the Local Planning Authority has not objected to the proposal on the basis of alleged unacceptable harm to any residential amenities enjoyed by no.222 or any other neighbours in relation to loss of outlook, light or privacy.
9. I have borne in mind that if this appeal failed the appellant would be highly likely to rely on planning permission for a similar development (ref. 21/08273/FUL) but which, notably, has the first floor element of the two storey extension set in by about 530mm eastwards. This, however, does not alter my view that the proposal before me would be acceptable in planning terms.

10. The Local Planning Authority has expressed concern that the appeal proposal, if allowed, would set a precedent which would make it difficult to refuse future similar proposals. I have noted advice in the Householder Planning and Design Guidance Supplementary Planning Document (Jan 2020) about retaining a minimum 1 metre gap between site boundaries. However, I have determined this appeal proposal on its own particular merits, focussing on the individual relationships that it would have with surrounding development and surrounding residential occupants and it would not therefore set a difficult precedent from which departure could, in the future, be made.
11. Overall, I conclude that the proposed extension would not harm the character or appearance of the host dwelling or the area. It would not be in conflict with policies CP9 (Sense of Place), DM35 (Placemaking and Design Quality) or DM36 (Extensions and Alterations to Existing Dwellings) of the Wycombe District Local Plan (adopted August 2019).

Conditions

12. I have considered the imposition of planning conditions in the light of advice in National Planning Practice Guidance. The Council suggested 3 conditions in the event that the appeal was successful. A condition which ties the built development strictly to the approved plans is necessary in the interests of certainty. In order to protect the character and appearance of the host dwelling and its surroundings a condition requiring the extension and front porch to match the existing materials of the dwelling is necessary. A time limit in which to implement the planning permission is also a necessary condition.

Conclusion

13. Having taken into account all representations made, for the reasons given above, I allow the appeal and grant planning permission subject to conditions.

Megan Thomas K.C.

INSPECTOR