



Appeal Decision

Site visit made on 15 February 2023

by S Rawle BA (Hons) Dip TP Solicitor

an Inspector appointed by the Secretary of State

Decision date: 19th April 2023

Appeal Ref: APP/K0425/D/22/3307334

19 Downs Park, High Wycombe, Buckinghamshire HP13 5LX

- 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 & Mrs G Bodiam against the decision of Buckinghamshire Council.
 - The application Ref 22/06279/FUL, dated 8 May 2022, was refused by notice dated 18 August 2022.
 - The development proposed is a first-floor side, front and rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the host property and the area; and
 - the living conditions of the occupiers of No 17 Downs Park (No 17), with particular reference to loss of daylight and overshadowing.

Reasons

Character and appearance

3. The appeal property is a semi-detached house located in a residential area where properties are mostly of a similar style and period typically set back on their plots with parking areas and gardens to the front. Several properties have been extended to the front at ground floor level, but at first floor, adjacent to the appeal site, dwellings have a largely uniform appearance with a comparable building and eaves line which provides a simple, uncluttered appearance to the streetscene that contributes positively to local character.
4. The proposed first floor addition at the front would replace, in part, the lean to roof of the existing porch and single storey side extension. Because of the gable design of the roof, the extent of the forward projection and its width, the front extension would appear as a prominent and incongruous feature against the simple form of the existing buildings.
5. Further, the effects of the incongruous design of the front extension would be exacerbated by the limited set down of the side extension roof and the overall significant bulk of the roofscape. The proposal would be highly prominent being set forward and seen against the modest porch of the adjacent property and the uniformity of the eaves and ridge line within the street. The extension

would appear disproportionate when viewed from the street. It would neither complement the appeal property, nor would it integrate into the streetscene. Consequently, the extension would look harmfully out of place.

6. Although there are properties with a front gable design at the entrance to Downs Park, these are detached houses where the first floor gable forms part of the main front elevation that largely sit within the building line. Consequently, the existence of these houses with a gable to the front are not comparable with the appeal scheme.
7. I have taken account of a similar extension added to an existing property in a neighbouring road and that another house in that road has permission to extend in a similar way. Although part of the wider area known as The Pastures, these other properties are in an entirely different road and do not contribute to the character and appearance of Downs Park. Whilst I accept that there are similarities between the appeal proposal and these other examples, their existence and any similarities there may be does not justify harmful development at the appeal site.
8. I therefore conclude that the proposal would have an adverse impact on the character and appearance of the area in conflict with Policies CP9, DM35 and DM36 of the Wycombe District Plan adopted in August 2019 (WDP), which amongst other things, seek to ensure that development achieves a high quality design which improves and respects an areas distinctive character and that extensions should be subservient in scale and respect the character and appearance of the existing property and surrounding area. The proposal would also be contrary to the National Planning Policy Framework (Framework) which seeks to ensure development is sympathetic to local character.

Living conditions

9. The proposed development would result in a significant building mass close to the common boundary with No 17. There are some windows in the flank wall of this neighbouring house, including one serving an open plan kitchen/dining room. The appellant has pointed out that the window serving this room in the flank wall is a secondary window. Even so, due to the broadly northerly orientation of the rear of No 17 more reliance is placed on the window in the flank wall to provide a reasonable level of light into the kitchen/dining room.
10. The proposal would fill the gap above the existing single storey extension adjacent to No 17 which would reduce daylight reaching the window in the flank wall of No 17. This would result in a material loss of daylight that would unacceptably darken the kitchen/dining room and would have a significant adverse impact on the living conditions of the occupiers of No 17. Due to the orientation of the appeal property and No 17 relative to the trajectory of the sun, there would be no material loss of sunlight as the proposal would not cause an unacceptable degree of overshadowing of the neighbouring property from the sun itself. However, that would not lessen the adverse impact on the living conditions of the occupiers of No 17 due to the reduction of daylight reaching the window in the flank wall serving the kitchen/dining room.
11. Overall, I conclude that the proposal would have an adverse impact on the living conditions of the occupiers of No 17 with particular reference to daylight. The proposal would conflict with Policies DM35 and DM36 of the WDP, which amongst other things seek to ensure that development preserves

the amenities of neighbouring properties and prevents significant adverse impacts on the amenities of neighbouring land and properties. The proposal would also conflict with the Framework where it seeks to retain a high standard of amenity for existing and future users.

Conclusion

- 12.** For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that indicate that the proposal should be determined otherwise than in accordance with it. Therefore, the appeal is dismissed.

S Rawle

INSPECTOR