



Appeal Decision

Site visit made on 24 July 2023

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 23 August 2023

Appeal Ref: APP/K0425/D/23/3317371

Fernlands Chapel Lane, Naphill, High Wycombe HP14 4RB

- 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 Sally Fraser against the decision of Buckinghamshire Council.
The application Ref: 22/06870/FUL dated 08 July 2022 was refused by notice dated 22 December 2022.
 - The development proposed is construct first floor storey with additional en-suite bedroom inset over existing side extension.
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Decision

1. The appeal is allowed and planning permission is granted to construct first floor storey with additional en-suite bedroom inset over existing side extension at Fernlands Chapel Lane, Naphill, High Wycombe HP14 4RB in accordance with the terms of the application Ref: 22/06870/FUL dated 8 July 2022 and the plans submitted with it, 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 accordance with the following approved plans: 0758-101-B, 0758-103-C, 0758-104-A
 - 3) All external materials used in the development hereby approved, including doors and windows shall in colour material and texture match those used in the existing building.

Main Issues

2. The main issue is the effect of the development upon living conditions for users of the adjacent dwelling 'Herewood'.

Reasons

3. Fernlands is a two-storey detached house accessed from a part of Chapel Lane which separates the built area of Naphill from greenbelt, providing a woodland setting to the appeal site and its immediate neighbours. The site lies within the Chilterns Area of Outstanding Natural Beauty (AONB) and with neighbouring properties, enjoys a high standard of amenity due to their high quality setting. The development intends a first floor side extension reducing the distance at upper floor level to the shared boundary with 'Herewood', a smaller 'chalet' dwelling which is located on a corner such that its rear elevation (and that of its

neighbour 'Wychwood') faces this shared, northwestern, boundary of the appeal site. This elevation of the neighbour includes windows to habitable rooms that currently look towards the flank wall of Fernlands to which the extension would be added. It is the proposed reduction in this separation distance arising from the first floor addition that lies at the heart of the objections raised.

4. There have been previous proposals for similar, but larger, side extensions at the appeal site and I have had regard to the basis of the related, dismissed, appeals in my reasoning¹. The refusal reason relating to the proposal here appealed has similarities with the previous determination, however the proposal before me has been subject to pre-application discussion with officers of the Council and resulted in a recommendation which, on balance, indicated that the changes were sufficient to address those concerns.
5. The Wycombe District Householder Planning and Design Guidance SPD (Adopted January 2020) (The SPD) refers to the issue of 'unneighbourly form' in section 15 as resulting from excessive enclosure by neighbouring properties. This guidance is provided without reference to examples or distance criteria, recognising that what may or may not be acceptable will depend on a number of different factors.
6. Unlike previous proposals, the upper storey flank wall of the extension would be inset from that of the existing garage, increasing the distance from the boundary, in addition the height of the proposed roof additions would be reduced. The resulting flank wall of what is now proposed (which would have no openings or fenestration) would be some 11 meters from the existing main rear wall of Herewood. This is significantly more than that referred to as insufficient in previous decisions. Given that a typical window to gable distance of 12 metres is commonly found acceptable even where habitable rooms look out onto a full height gable wall and here the roof form has been designed to be much lower and hipped, I consider the impact on the outlook from Herewood would not be unacceptable.
7. The reduction in the depth of the proposed extension from previous designs, such that its flank wall is no deeper than the main house would also reduce any sense of additional enclosure along the appeal site's northwestern boundary. Taken together these significant changes to the scale and mass significantly reduce the impact upon neighbouring users from what has been previously found unacceptable.
8. I further note that the corner location of Herewood provides a setting which is substantially open other than by perimeter planting which, for the large part, appears to be within the control of relevant owner(s) and (subject to the effect of existing vegetation and planting) the absence of built form to the southwest side of Herewood's rear amenity area provides opportunities for good access to sunlight/daylight for a significant part of the day.
9. Overall, whilst there would be an incremental change in outlook I do not consider this change would be to an extent that could be considered unacceptable. The resulting development would not be overbearing or dominant. I therefore conclude there would be no conflict with Policy DM36 of

¹ Specifically the most recent decision APP/K0425/D/13/2191330 dated 12 March 2013

the Wycombe District Local Plan (2019) or the SPD which seek to preserve the amenity of adjacent dwellings.

10. Taking all matters raised into account, the proposal would not conflict with the development plan taken as a whole and, therefore, the appeal succeeds subject to appropriate conditions. In addition to the usual plans and timing conditions I note the Council's comments as to use of materials in this location. The use of materials sympathetic to what currently exists would mitigate visual impact and therefore a suitably-worded condition is necessary.

Andrew Boughton

INSPECTOR