



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: 22 September 2023.

Appeal Ref: APP/K0425/D/23/3318523
Summerhill, 27 Gypsy Lane, Marlow SL73JT

- 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 Louise Clarke against the decision of Buckinghamshire Council.
The application Ref: 22/07480/FUL dated 12 September 2022 was refused by notice dated 19 December 2022.
 - The development proposed is roof alterations incorporating accommodation within the roof space and fenestration alterations.
-

Decision

1. The appeal is allowed and planning permission is granted for roof alterations incorporating accommodation within the roof space and fenestration alterations at Summerhill, 27 Gypsy Lane, Marlow SL73JT in accordance with the terms of the application Ref: 22/07480/FUL dated 12 September 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: 27GL-0004A, 27GL-0007A.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows or other opening other than those expressly authorised by this permission shall be formed in the walls or roof surfaces of the development.
 - 4) Notwithstanding the details appearing on plans hereby approved no part of the rooflights identified as 'velux windows' on the side elevation (left) (drawing 27GL-0004A) shall be installed below a height of 1.6m above the floor level of the room to which it relates.

Main Issues

2. The main issues are the effect of the development upon:
 - the character and appearance of the host dwelling and
 - living conditions for users of the adjoining users.

Reasons

Character and Appearance

3. Gypsy Lane has the character of a narrow rural lane with individual dwellings arranged along one side and hedges which incorporate mature trees to the other, seemingly as a remainder of a field boundary. The appeal site, 'Summerhill' lies close to the end of the lane where a turning area is enclosed by 4 large detached houses dating from late 20th Century, numbered 33-39 (street numbering is not continuous). The first of these is adjacent to Summerlands on its northern side but with significant intervening screening. In terms of character, this group of 4 dwellings has a suburban form in contrast to the character of the main part of Gypsy Lane which, including the appeal site, is a series of individually designed houses, mostly of a substantial nature, with frontage access lacking footway or kerbing and contained by a mixture of boundary treatments and elements of older hedgerow that provide a distinctive rural flavour.
4. Summerhill is set back from the broad alignment of its neighbours along Gypsy Lane and otherwise surrounded by vegetation such that it is discretely positioned and does not contribute to the street scene except in glimpsed views. It is also set behind the main part of the neighbouring house 'End View', a mid-twentieth century single storey dwelling with accommodation set within its roof void. As a result of the disposition of these properties, 'End View' benefits from outlook front and rear but, despite a small difference in levels, also across the extensive gravelled forecourt to Summerhill. Its plot is of lesser depth to that of adjoining properties and wrapped round at the rear by the garden of Summerhill.
5. The proposal would raise the existing contrived roof form of Summerhill to incorporate accommodation in the resulting roof void. The Council suggest that due to increased height the proposal would visually dominate the cul-de-sac and would be out of keeping with (what it describes as) this 'modest detached dwelling' (Summerhill). However, what is proposed would, to my mind, be entirely consistent with the mixed range of roof forms found in the area and of not inappropriate height and appearance. Further, it would not be prominent in the street scene for the reasons explained.
6. On that basis, I do not consider the proposed alterations would detract from the character and appearance of the area and therefore find no conflict with Policy DM35 (Placemaking and Design Quality) of the Wycombe District Local Plan (Adopted August 2019) (WDLP) and the relevant parts of the Householder Planning and Design Guidance SPD Adopted January 2020 (SPD) which seek to maintain distinctive character and appearance of residential areas.

Neighbouring users

7. The Council suggest that the proposal would generate an overbearing impact from the added roof volume. Whilst the proposal would place additional built form at a high level adjacent to the rear amenity area of End View, this would be on the northern side, leaving the garden area of End View with a generally open outlook to the south and west, albeit partly enclosed by trees. The hipped roof form would reduce the visual impact of added height.

8. The proposal would place roof windows in upper roof surfaces from which adjoining gardens of End View could be overlooked if any part of the rooflight were below a standing eye level; however a suitably-worded condition would rectify this aspect of the proposal. I further note the Council express concern as to the insertion of a full height window with a 'juliet balcony' in the rear elevation. But this elevation aligns with the rear boundary of the garden to End View, consequently, notwithstanding the height of this window but also noting the substantial surrounding vegetation, there is little prospect of direct overlooking of End View or any other nearby garden.
9. Overall, I conclude there would be no significant harm to the amenity or utility of the rear garden area of End View as a consequence of the proposal and that the resulting development would not be unacceptably overbearing or dominant. I conclude there would be no conflict with Policies DM35 and DM36 of the WDLP which seek to ensure extensions do not unacceptably harm privacy or amenity in this regard, nor, noting my earlier conclusion, with the development plan as a whole. On that basis, and taking all matters raised into account, the appeal succeeds subject to the usual plans and timing conditions but also conditions to ensure additional fenestration does not impair privacy or amenity.

Andrew Boughton

INSPECTOR