



Appeal Decision

Site visit made on 17 August 2023

by R Lawrence MRTPI, BSc (hons), PGDip (TP)

an Inspector appointed by the Secretary of State

Decision date: 4 October 2023

Appeal Ref: APP/J0405/D/23/3317834

37 Manor Crescent, Wendover, Buckinghamshire HP22 6HJ

- 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 Sophie and Paul Cusick and Hawkins against the decision of Buckinghamshire Council.
 - The application Ref 22/03531/APP, dated 14 October 2022, was refused by notice dated 13 December 2022.
 - The development proposed is: Erection of first floor rear extension with balcony.
-

Decision

1. The appeal is allowed and planning permission is granted for Erection of first floor rear extension with balcony at 37 Manor Crescent, Wendover, Buckinghamshire HP22 6HJ in accordance with the terms of the application Ref 22/03531/APP, dated 14 October 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 1884 P.400 Rev A Proposed Site Plan and 3D Views, 1884 P.500 Rev A Proposed Floor Plans, 1884 P.000 Location Plan and 1884 P.600 Rev A Proposed Elevations.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the host property and surrounding area, and
 - The effect of the proposed development upon the outlook of the occupiers of No 39 Manor Crescent.

Reasons

Character and appearance

3. The appeal property comprises a semi-detached two storey property located within a residential area. The property has been previously extended to the side and rear including a two-storey flat roofed extension. There are a number of examples of two storey flat roof extensions in the wider street scene. The appeal site is located on a curve in the road, with the existing extensions

positioned on a different angle to the host property. The proposed extensions are large in scale, particularly in terms of their width. Nonetheless, the height of the extensions would match those in the existing property and given their siting to the rear of existing built form, would be largely screened from the street scene. The form of the extension, together with the use of matching materials, would ensure that the extensions would visually integrate well with the existing development on site. As such, the size of the extensions would not in this case, lead to visual harm.

4. The Council's Residential Extensions Guide (adopted 1992 and updated in 2013) (the REG) supplements the Vale of Aylesbury Local Plan (LP) 2013-2033 design policies. The guidance advises against large box style extensions, and the use of flat roofs. In this case, two storey box style extensions are a common feature in the street scene and already exist on the appeal site.
5. For the above reasons, notwithstanding guidance contained within the REG, the proposed development would preserve the character and appearance of the host property and surrounding area. As such, the proposed development would accord with Policies BE2 of the LP 2013-2033 and SD1 of the Wendover Neighbourhood Plan 2020 (the NP) which both seek to ensure an appropriate design of developments, such to reflect the local distinctiveness of the area.

Effect on outlook

6. The adjoining semi, No 39, has an open outlook from the first and ground floor windows to the rear garden of that property, as well as across the appeal site garden area. There is a conservatory at ground floor. Although there would be a modest separation between the proposed first floor extension and the side boundary with No 39, the extension would nonetheless be visible in oblique views from first floor windows as well as from the conservatory and rear ground floor windows of No 39. Nevertheless, the extent of any corresponding sense of enclosure would be limited by the modest depth of the proposed extension. There is also no dispute between the parties, and I have no substantive basis to find differently, that the development would comply with the 45-degree guideline which relates to, amongst other things, preserving a reasonable standard of outlook, albeit noting that the Council refers to this in its officer report in the context of consideration of light levels. As such, it would not represent an overbearing, dominant or visually intrusive form of development as viewed from that neighbouring property.
7. For the above reasons, the development would be acceptable in terms of its effect upon the outlook of the occupiers of No 39 Manor Crescent. The proposal would therefore comply with LP Policy BE3, NP Policy SD1 and guidance contained within the REG which, taken together, seek amongst other matters, to ensure development avoids harm to the living conditions of occupiers of neighbouring properties including by way of visual intrusion and outlook.

Other issues

8. Comments from the Parish Council on the planning application include an objection on the ground of insufficient room for car parking. The bedroom numbers would remain unaltered, and no change is proposed to the existing car parking provision. Furthermore, the Council has raised no objection in terms of car parking provision, and I have no substantive basis to find differently.

Conditions

9. In addition to the standard condition which would limit the timeframe for implementation, I have specified the approved plans in the interests of clarity. A condition requiring matching materials would be necessary to ensure that the appearance of the proposed extension would be satisfactory and would protect the character and appearance of the area.

Conclusion

10. For the reasons set out above, and having regard to all other matters, the proposal would accord with the Development Plan as a whole and the appeal should be allowed, subject to conditions.

R Lawrence

INSPECTOR