



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: 5 October 2023

Appeal Ref: APP/J0405/D/23/3321899

196 Wendover Road, Weston Turville, Buckinghamshire HP22 5TG

- 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 Arshad Hussain against the decision of Buckinghamshire Council.
 - The application Ref 22/02638/APP, dated 22 July 2022, was refused by notice dated 24 February 2023.
 - The development proposed is 2 storey side extension and single storey rear extension and loft conversion.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the development is set out differently on the Council's decision notice compared to the planning application form, which I have taken the description of development from. The application form omits reference to the demolition of existing sheds and a conservatory and it also refers to the rear extension as single storey whereas the plans show it as two-storey. Furthermore, the plans indicate a part single storey, part two storey and first floor side extensions. Notwithstanding the description of development as set out on the planning application form, the proposal is clearly shown on the submitted plans and I have determined the appeal on this basis.

Main Issues

3. The main issues are:
 - Whether the proposal would provide satisfactory living conditions for current and future occupants of the host property in terms of sunlight and daylight and outlook, and
 - The effect of the proposed development on the character and appearance of the host property.

Reasons

Living conditions

4. The proposal includes a main bedroom (bedroom 2) which would be served by an obscure glazed window and would thus lack any quality outlook. Bedroom 2 would likely be a key habitable room. The absence of any quality outlook from the room would be detrimental to the enjoyment of the property for current and future occupants.

5. I note that the appellant has disputed the necessity of obscure glazing to serve bedroom 2, however, the submitted plans clearly label the windows as obscurely glazed, I have considered the appeal on this basis. This appeal is not the appropriate route to consider amendments to the scheme especially as I cannot be satisfied that parties would not be prejudiced by this.
6. The Council's reason for refusal also raises concern in terms of light to bedroom 2, it is not specified whether this applies to sun or daylight. Whilst the use of obscure glazing would restrict outlook to a harmful degree, it would not adversely impact upon light. There is a good separation distance between the bedroom window and the nearest neighbouring property – No 194. The window would be north facing which would limit the amount of sunlight received, however, the separation distance would likely allow for a good level of daylight to reach the window.
7. The proposal would therefore fail to provide satisfactory living conditions in terms of outlook for current and future occupants of the host property. The proposal would therefore conflict with the Vale of Aylesbury Local Plan 2021 (LP) Policy BE3 which seeks to ensure that development would not unreasonably harm any aspect of the amenity of existing residents.

Character and appearance

8. The appeal property comprises a detached dwelling which sits within a linear pattern of housing on the eastern side of Wendover Road. The Council's reason for refusal relates to the effect of the development on the character and appearance of the host property, there is no objection raised in respect of the effect on the street scene. Having regard to the siting of the proposed extensions, primarily to the rear of the property, I find no reason to disagree.
9. The proposal would create space, and visual relief along the northern side boundary which does not currently exist. Key characteristics of the existing dwelling include a pitched roof form with gable features, these would remain prominent and would be preserved as part of the appeal scheme. The extensions would be set down in height from the existing ridge height and would not alter the primary, front elevation of the dwelling. As such, whilst the scale of the extensions would lead to a significant change from the original shape of the host dwelling, the retention of key design features would serve to preserve its character and the extensions would integrate well with the existing dwelling. For these reasons, I find that the proposal would preserve the character and appearance of the host dwelling.
10. The proposal would therefore comply with LP Policy BE2 and Policy H2 of the Weston Turville Neighbourhood Plan 2013-2033 and guidance contained within the Council's Design Guide on Residential Extensions. The policies and guidance, when read together, and insofar as relevant to this appeal, seek to ensure development respects the local distinctiveness and character of the area including ensuring alterations to existing buildings reflect the character and scale of surrounding buildings.

Conclusion

11. Although the proposal would be acceptable in terms of its effect on character and appearance, this would not override the failure to provide satisfactory living conditions in terms of outlook for current and future occupants. The

appeal scheme would therefore be contrary to the development plan taken as a whole and there are no other matters which indicate that planning permission should be granted. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

R Lawrence

INSPECTOR