
Appeal Decision

Site visit made on 30 September 2025 by T Morris BA (Hons) MSc

Decision by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2025

Appeal Ref: APP/K0425/D/25/3372465

73A Woodcock Avenue, Walters Ash, Buckinghamshire HP14 4TN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs V Von Schultz against the decision of Buckinghamshire Council.
 - The application Ref is 25/06140/FUL.
 - The development proposed is part single, part two storey rear extensions.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupiers of 73 Woodcock Avenue, in terms of light and outlook.

Reasons for the Recommendation

4. The appeal site comprises a two-storey semi-detached dwelling located in a residential area. No 73 adjacent is a semi-detached dwelling which is separated from the appeal property by a small gap. It is set slightly lower than the appeal dwelling, is lower in height and features a smaller rear garden. The side boundary between the rear gardens of the properties is formed of a tall wooden fence.
5. The nearest window in the ground floor rear elevation of No 73 is narrow and it serves a kitchen/dining room. There is also a larger window in the rear elevation of No 73, but despite the submitted plan, there is insufficient evidence before me to confirm whether both ground floor windows in the rear elevation serve the same room. Therefore, I will approach the matter as if the narrow window is the only window serving the kitchen/dining room.
6. I have had regard to the guidance in the Council's Householder Planning and Design Guide Supplementary Planning Document (SPD). At paragraph 14.4, the SPD sets out that for two-storey extensions, a 45-degree line will be drawn from the mid-point of the nearest habitable window of the adjacent property across the proposed extension. Therefore, the Council's use of the 45-degree line is reasonable as it assesses the effect of the proposed two-storey rear extension to the nearest habitable window, which in this case, is the ground floor kitchen/dining

room window, thereby in accordance with the SPD guidance. In contrast, the appellant's plan, drawing no 25112-003, does not provide this assessment as it does not show a 45-degree line from the two-storey rear extension to the ground floor kitchen/dining room window at No 73.

7. From the ground floor kitchen/dining room window at No 73, the considerable depth of the two-storey rear extension element of the proposal together with its close proximity to the side boundary would breach the 45-degree line. Consequently, the proposed extension would unacceptably reduce the availability of light and the provision of outlook in the room. The narrowness of the window which is likely to already affect the level of light and outlook received in the room, together with the greater height of the appeal property and its slightly higher siting would mean that the proposed two-storey rear extension would be a prominent and overbearing feature when experienced from the room. So much so that the reduction of light and outlook due to the presence of the two-storey rear extension would be unacceptably harmful to the living conditions of occupiers of No 73.
8. Furthermore, due to the scale and bulk of the two-storey rear extension and its projection along the side boundary, it would also have an unacceptably dominant presence when experienced from the rear garden area of No 73. Its dominance would be emphasised by the small size of the rear garden of No 73, to the extent that it would be an overbearing and conspicuous feature when viewed from the garden, including its immediate area adjacent to the dwelling which is likely to be used for sitting out.
9. The plans before me indicate that the appeal property is located to the south-west of No 73. Therefore, due to this orientation, the two-storey rear extension would likely further overshadow the ground floor kitchen/dining room window and the garden of No 73, particularly later in the day towards sunset. This adds to my concerns, and I have not been provided with any compelling evidence which leads me to a different view on this matter.
10. The appellant refers to planning applications at 73B Woodcock Avenue and 79 Woodcock Avenue. However, I have not been provided with the plans for these applications, or the details of the circumstances in which they were approved. I am therefore unable to make direct comparison with the appeal proposal and these applications and as such, they do not justify the proposal.
11. For the above reasons, I therefore conclude that the proposed development would cause significant harm to the living conditions of occupiers of No 73, in terms of light and outlook. The proposal would conflict with Policies DM35 and DM36 of the Wycombe District Local Plan (2019), which amongst other matters, require that developments preserve the amenities of neighbouring properties. It would also be contrary to the SPD guidance which states that extensions should not adversely affect the amount of light to a neighbouring property's nearest habitable room and should not excessively enclose outlook from the neighbouring property.

Other Matter

12. The appeal site is located in the Chilterns National Landscape. While the effect to the National Landscape is not in dispute, great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes. In that regard, given that the harm of the proposal relates to living conditions, I am satisfied that no harm would arise to the Chilterns National Landscape. Even so,

this is a neutral factor which does not justify the harm of the proposal which I have identified under the main issue.

Conclusion and Recommendation

13. The proposal would conflict with the development plan as a whole, and there are no other material considerations which would alter this conclusion. I therefore recommend that the appeal should be dismissed.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Andrew McGlone

INSPECTOR