

Contact: Stephanie Penney DDI No. 01494 421823
App No : 19/06919/FUL App Type : FUL
Application for : Householder application for construction of side steps and raised walkway and balustrading to access rear doors (part retrospective)
At 1 Wordsworth Road, High Wycombe, Buckinghamshire, HP11 2UT
Date Received : 07/08/19 Applicant : Mr Sultan Ansari
Target date for decision: 02/10/19

1. **Summary**

- 1.1. Full planning permission is sought for the retention of side steps and raised walkway and balustrading to access rear doors (part retrospective). The terrace is to be removed.
- 1.2. It is considered that the walkway, while being 1.1m closer to the rear boundary, will not result in significant levels of increased overlooking, due to the nature of its use as a walkway, and existing overlooking from habitable rooms.
- 1.3. The application is recommended for approval.

2. **The Application**

- 2.1. Full planning permission is sought for the retention of side steps and raised walkway and balustrading to access rear doors (part retrospective). The terrace is to be removed.
- 2.2. The proposed walkway varies from 1.1m wide along the rear elevation and 0.7m to the side.
- 2.3. Due to local topography the ground to the rear of this part of Wordsworth Road slopes significantly downwards, from north to south, and this slope allows for an almost, two and a half storey appearance to the north east side of the dwelling.
- 2.4. The application site comprises a detached dwelling located off Wordsworth Close where the surrounding properties are semi-detached properties of various sizes and designs; the area is characterised by varying ground levels creating a more varied street scene.
- 2.5. The application is accompanied by a covering letter.

3. **Working with the applicant/agent**

- 3.1. In accordance with paragraph 38 of the NPPF (2019) Wycombe District Council (WDC) approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. WDC work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application. In this instance the application was acceptable as submitted and no further assistance was required.

4. **Relevant Planning History**

- 4.1. 18/06437/FUL - Householder application for construction of raised decking and steps to rear (part retrospective). Application refused and dismissed at appeal.

Reasons for refusal:-

“In the opinion of the Local Planning Authority, the raised decking to the rear of the

dwelling, as constructed, has significantly increased the level of overlooking afforded to the neighbouring property at 1 Tennyson Road. It provides views into habitable rooms and the garden of the property which causes a severe loss of privacy. Whilst this could be mitigated through the construction of screening around the decking, such screening would be of a size and proximity to the boundary that would be overbearing in appearance and thus detrimental to the residential amenities of the occupiers of this property. The development thus conflicts with policies G3 and G8 of the Adopted Local Plan and Policies DM35 and DM36 of the New Wycombe District Local Plan.”

The following is relevant from Inspector’s decision:

The decking results in a significant increase in overlooking of the habitable room windows at the rear elevation of no. 1 Tennyson Road. This materially erodes the privacy currently experienced by the occupiers of that property. The Inspector accepted however, that the proposed 1.8m high privacy screen would adequately mitigate the loss of privacy caused by the deck.

However, the Inspector considered that due to the combination of height, elevated position and close proximity, it would appear very prominent and overbearing when viewed from no. 1 Tennyson Road. The Inspector concluded that although the privacy screen would avoid unacceptable overlooking from the terrace, the screen itself would result in a significant loss of outlook to the rear elevation windows at 1 Tennyson Road, and an excessive sense of enclosure to both the windows and the garden.

- 4.2. 18/00075/OP - Alleged laying of decking and breach of condition 5 of 14/05459/FUL and erection of fencing. Enforcement Notice served and required the removal by 8th September 2019.
- 4.3. 17/06637/MINAMD - Proposed non-material amendment to permission for construction of two storey side extension with side and rear steps and single storey side extension incorporating and including conversion of existing detached garage into habitable space granted under householder planning ref: 14/05459/FUL - Permitted
- 4.4. 15/08527/CLP - Certificate of lawfulness for proposed construction of 1 x rear dormer window and 1 x side roof light to existing house in connection with loft conversion – Granted
- 4.5. 14/08302/FUL - Householder application for erection of single storey front extension, two storey side extension with balcony and side and rear steps. Single storey rear extension & single storey side infill extension, including garage conversion to habitable room. Loft conversion with rear dormer window and roof lights (alternative scheme to that permitted under 14/05459/FUL) –Refused

Reason 1: The proposed extensions and patio, by reason of their scale, siting and design would take up the majority of the width of the plot resulting in incongruous and in-harmonious additions that would have an unacceptable level of impact on the character and appearance of the application dwelling and the street scene and would be detrimental to the residential character and appearance of the surrounding area. In addition, the extensions are considered to be disproportionate to the scale of the parent dwelling and would be tantamount to the creation of a new dwelling which would be unacceptable in this location.

Reason 2: The rear extension would result in an unacceptable level of overlooking to the neighbouring dwelling to the rear of the site, 2 Tennyson Road.

- 4.6. 14/07150/FUL - Householder application for construction of single storey front extension. Two storey side extension with balcony and side and rear steps. Single storey rear extension. Part two storey part first floor side extension over existing detached garage to link to main dwelling and conversion of garage to habitable room. Loft conversion with rear dormer window. (amendment to planning permission 14/05459/FUL) – Refused.

Reason 1: The proposed extensions, by reason of their scale, siting and design would take up the majority of the width of the plot resulting in incongruous and in-harmonious additions that would have an unacceptable level of impact on the character and appearance of the application dwelling and the street scene and would be detrimental to the residential character and appearance of the surrounding area. In addition, the extensions are considered to be disproportionate to the scale of the parent dwelling and would be tantamount to the creation of a new dwelling which would be unacceptable in this location.

Reason 2: The rear dormer window would result in an unacceptable level of overlooking to the neighbouring dwellings to the rear of the site, namely 1 and 2 Tennyson Road.

- 4.7. 14/05459/FUL - Householder application for construction of two storey side extension with side and rear steps and single storey side extension incorporating and including conversion of existing detached garage into habitable space.- Permitted

5. **Issues and Policy considerations**

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), DM35 (Placemaking and Design Quality) and DM36 (Extensions and Alterations to Existing Dwellings)

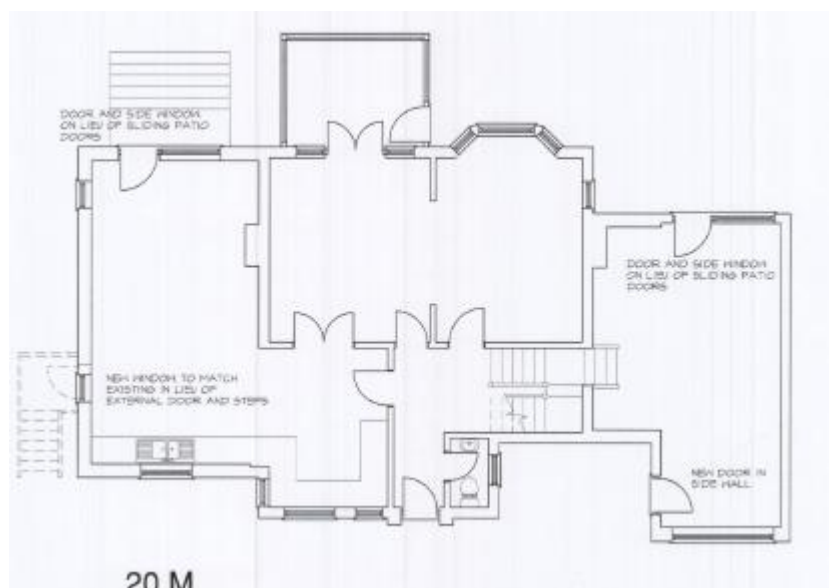
DSA: DM1 (Presumption in favour of sustainable development),

- 5.1. The application site currently comprises a detached dwelling located off Wordsworth Close where the surrounding area is characterised by varying ground levels. Wordsworth Road is set on an elevated position over Tennyson Close which sits adjacent to Marlow Hill. The surrounding properties are predominately detached properties of various size, design and markedly different characteristics, creating a more varied street scene.
- 5.2. The raised walkway and steps to the rear of the site are considered acceptable in principle, subject to other material considerations, detailed further below.

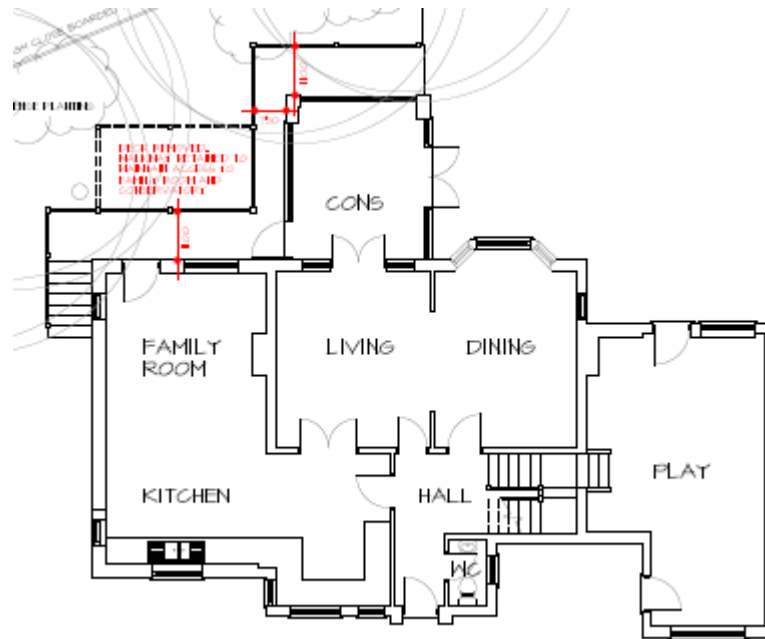
Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality), DM36 (Extensions and Alterations to Existing Dwellings)

- 5.3. A previous application has approved the following layout:



- 5.4. The scheme now differs in that a walkway is now proposed from the rear corner to the conservatory:



- 5.5. The scheme is considered materially different to the refused scheme as the decking area is to be removed (shown by the dashed line) and the proposal will just consist of a walkway. No privacy screen is proposed, the walkway will be enclosed by balustrading.
- 5.6. The walkway is of insufficient width to provide a suitable and usable seating area. It is the officer's view that the walkway will just be a used for gaining access around that back of the building and not as an amenity area.
- 5.7. The objection from the neighbouring property is acknowledged. However, some level of mutual overlooking exists between properties. In addition the habitable room windows from the family room and conservatory already overlook the neighbouring property.
- 5.8. It is therefore considered that the walkway, while being 1.1m closer to the rear boundary, will not result in significant levels of increased overlooking due to the nature of the use of the walkway and existing overlooking from habitable rooms.
- 5.9. When taking account of the above it is considered that the walkway would not cause any significant overlooking, loss of light or overbearing issues that would justify refusing planning permission.
- 5.10. The existing terrace is shown to be removed. It is therefore necessary to condition that this is removed within 3 months.

Raising the quality of place making and design

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM35 (Placemaking and Design Quality), DM36 (Extensions and Alterations to Existing Dwellings)

- 5.11. The walkway is set at ground level on the southwest side graduating up to a maximum 1.2m to the northeast and this follows the existing form of the dwelling. As mentioned the development is sited to the rear of the dwelling and, as such, not readily visible from the street scene or wider public domain and this set back helps to minimise any potential impact of the development on the street scene.

5.12. The walkway is constructed in timber with balustrading. These materials are considered acceptable. No harmful impact to the host dwelling or the surrounding area is considered to occur as a result of this application that would justify refusing planning permission.

Weighing and balancing of issues – overall assessment

5.13. This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.

5.14. In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a) Provision of the development plan insofar as they are material
- b) Any local finance considerations, so far as they are material to the application (in this case, CIL)
- c) Any other material considerations

5.15. As set out above it is considered that the proposed development would accord with the development plan policies.

Recommendation: Application Permitted

1 Unless within three months of the permission hereby granted the decking area to the rear of the property is altered to comply with the details shown on drawing number 17/19/03, the entire decking structure shall be removed from the site.

Reason: In order to protect the amenities of the adjoining occupiers.

2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan number 17/09/03 unless the Local Planning Authority otherwise first agrees in writing.

Reason: In the interest of proper planning and to ensure a satisfactory development of the site.

INFORMATIVE(S)

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