



Report to Wycombe Area Planning Committee

Application Number:	20/06141/FUL
Proposal:	Householder application for construction of single storey rear conservatory extension with steps leading into garden
Site Location:	156 Spearing Road High Wycombe Buckinghamshire HP12 3LA
Applicant:	Mr Khawar Asif
Case Officer:	Jackie Sabatini
Ward(s) affected:	Booker, Cressex & Castlefield
Parish-Town Council:	High Wycombe Town Unparished
Date valid application received:	11th May 2020
Statutory determination date:	6th July 2020
Recommendation	Approval

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This application seeks full planning permission for a single storey rear conservatory with steps leading into the garden.
- 1.2 The reason for the application to be reported for determination by the area planning committee is because the applicant is a planning officer within the meaning set out in the constitution: processing and evaluating planning applications.
- 1.3 The application is recommended for approval subject to conditions.

2.0 Description of Proposed Development

- 2.1 Full planning permission is sought for the construction of a single storey rear conservatory with steps leading into the garden.
- 2.2 The application site is located on the west side of Spearing Road where properties are set within plots that slope steeply downwards to the rear.
- 2.3 The proposed conservatory would be 5m in width, a maximum 5m in depth with a shallow pitch roof measuring approximately 2.3m to eaves height and 3m ridge; set down significantly lower than the main roof of the dwelling.

- 2.4 The application site comprises a two storey semi-detached property located off Spearing Road where the surrounding properties are predominately semi-detached dwellings. Many of which have already had extension and alterations that are highly visible; creating a more varied street-scene.
- 2.5 The application has been amended, following submission, resulting in the conservatory being stepped down from the rear elevation. The neighbours have been notified of the amended plans and the expiry date for comments was 20th August 2020.
- 2.6 The application is accompanied by:
- a) Plans
 - b) Photographs (submitted by applicant)

3.0 Relevant Planning History

- 3.1 17/08106/CLP: Certificate of lawfulness for proposed construction of hip to gable roof extension, insertion of 2 x rooflights to front roofslope and dormer window to rear. Construction of single storey side and rear extension. Approved 8 February 2018. Implemented.

4.0 Policy Considerations and Evaluation

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), DM33 (Managing Carbon Emissions, Transport and Energy Generation) DSA: DM1 (Presumption in favour of sustainable development),

- 4.1 The proposal is acceptable in principle subject to complying with the Development Framework and other material planning considerations.

Transport matters and parking

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

- 4.2 The surrounding area is already characterised by on-street parking to the front of properties. The application site also benefits from off-street parking to the rear of the site, accessed from a service road. As only a conservatory is proposed no further parking is required as a result of this application.

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 Dwellings)

- 4.3 The proposal is located to the rear of the site and only visible from a service road that runs behind properties on the west side of Spearing Road. The proposal would not be visible from the Spearing Road.
- 4.4 Subject to the uses of appropriate materials, the size and scale of development proposed is acceptable in terms of its impact and design and would not negatively detract from the existing host dwelling or the surrounding area.

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality)

- 4.5 As previously mentioned the application site is located on the west side of Spearing Road where the rear gardens of properties slope downwards towards the west. This topography results in the dwellings sitting in an elevated position over their rear gardens. As such some form of mutual overlooking between neighbours gardens is inevitable.
- 4.6 Although, in this case due to the sloping nature of the site combined with the vast expanse of glazing proposed in the side elevations of the conservatory, overlooking issues and loss of privacy would be further amplified.
- 4.7 The conservatory has been amended so that it is sat at a lower level and behind an existing rear extension. This step down helps to minimise its potential overbearing appearance when viewed from the neighbouring properties.
- 4.8 In addition the proposal would be sited some 2.5m away from the side boundary shared with no 154 and would not impinge on the council's light angle guidelines when being measured from the nearest habitable window of any neighbouring property.
- 4.9 In relation to overlooking it is acknowledged that the finished floor levels are higher than the neighbouring gardens. The proposed conservatory comprises of glazing on all three elevations. Due to this level change, it is considered reasonable and necessary to attach a condition for the glazing in the side elevations to be obscurely glazed and fixed shut up to 1.7m above finished floor level.
- 4.10 It is acknowledged that such extensive obscure glazing would have some impact on the outlook from this habitable room. However, consideration is given to the sun path and that the dwelling is of single occupancy and other habitable rooms are therefore available. On balance therefore this is considered to be acceptable.
- 4.11 When taking account of the above no significant impact would occur to the residential amenities of any neighbouring property as a result of this proposal with regard to overlooking, loss of light or overbearing issues that would justify refusing planning permission.

5.0 Weighing and balancing of issues / Overall Assessment

- 5.1 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.
- 5.2 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 (such as CIL if applicable), and,Any other material considerations
- 5.3 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

5.4 As set out above it is considered that, subject to conditions, the proposed development would accord with the development plan policies.

6.0 Working with the applicant / agent

6.1 In this instance, due to COVID 19, it has not been possible for the officer to visit the application site within the usual time scale. The applicant was informed of this.

The applicant was also informed that the proposal could cause overlooking issues to neighbours due to the vast expanse of glazing in the side elevations of the proposal. Additionally, due to the sloping nature of the site, the applicant was asked to reduce the ground level of the proposal so as to mitigate overlooking and not to appear overbearing to adjacent neighbours. The agent responded by submitting plans showing obscure glazing to sides and a lower floor level.

7.0 Recommendation: Approval subject to conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
2. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 2018-01C, 2018-02B, 2018/03; 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.
3. The materials to be used for the external surfaces, including walls, roofs, doors and windows shall be of those contained in the approved application
Reason: To secure a satisfactory external appearance.
4. Notwithstanding any other details shown on the plans hereby approved, the glazing to be inserted in both side elevations of the conservatory shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass. The glazing shall thereafter be retained as such.
Reason: In the interests of the amenity of neighbouring properties.