



## Report to West Area Planning Committee

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<b>Application Number:</b>	21/05015/FUL
<b>Proposal:</b>	Householder application for construction or first floor rear extension and internal alterations
<b>Site Location:</b>	Avalon 9 Lansdell Avenue High Wycombe Buckinghamshire HP12 4UQ
<b>Applicant:</b>	Mr and Mrs P Thomas
<b>Case Officer:</b>	Yee Chung Hui
<b>Ward(s) affected:</b>	Booker, Cressex & Castlefield
<b>Parish-Town Council:</b>	High Wycombe Town Unparished
<b>Date valid application received:</b>	8th January 2021
<b>Statutory determination date:</b>	5th March 2021
<b>Recommendation</b>	Application Permitted

### 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Planning permission is sought for the construction of a first floor rear extension and internal alterations.
- 1.2 Amendments have been submitted which have addressed the initial issues regarding overshadowing and overbearing impact to the rear of adjacent dwelling, no.11 and to no.7. The BRE assessment concludes that the development will not result in the loss of light to the neighbouring property No.11.
- 1.3 Councillor Brian Pearce called the application to the Planning Committee in view of concerns expressed over the design of the proposal and the impact it would have on the character of the locality and the amenities of adjacent neighbours.
- 1.4 Recommendation – approval

### 2.0 Description of Proposed Development

- 2.1 This application was first considered by the Planning Committee on 27 April 2021. Members voted to defer the application in order that an assessment could be made under the scope of the Building Research Establishment publication – Site Layout Planning for Daylight and Sunlight. A Guide to Good Practice; to determine the impact on light reaching

the neighbour at No.11 arising from the proposed development. This assessment has now been undertaken and is explained in this report.

- 2.2 Amended plans were submitted under drawing no.220-026-1 rev D to address the loss of light to the rear of adjoined dwelling, no.11.
- 2.3 The application dwelling is a semi-detached house, with a hipped roof, bay window feature at ground floor in the front elevation, along an existing residential street.
- 2.4 The proposed development is for a 3.5m deep, 4.5m wide extension at first floor level with a cat-slide roof to the rear following the 45 degree light angle guidance in elevation. The extension is set in from no.11 by approx. 1.1m with a ridge height up to 7.1m. The scheme also includes the insertion of full height glazing, a Juliet balcony window to the rear and two roof lights. Materials to match those of the existing dwelling are proposed.
- 2.5 A previous application for a larger extension was refused on the grounds of an un-neighbourly impact that was detrimental to the amenities of the adjacent neighbours.
- 2.6 A Design and Access Statement has been submitted as part of the planning application.
- 2.7 The application site falls within Residential Zone A of Booker and Cressex for the purposes of the Countywide Parking Standards.
- 2.8 The application is accompanied by
  - a) Application form
  - b) Existing plans and elevations, 220.06-1
  - c) Amended plans and elevations, 220.06-1 rev D
  - d) Design and Access Statement
- 2.9 The initial submission under 220.026 1 rev B has been superseded and amended plans under 220.06-1 rev D represent the final version under consideration.

### 3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
97/05742/FUL	Single storey rear extension attached garage and garden store	PER	2 June 1997
20/07804/FUL	Householder application for construction of first floor rear extension and internal alterations.	REF	22 December 2020

### 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 There is no objections in principle to the proposal in terms of the development of a residential extension to the rear of the application dwelling within an established residential area, subject to the compliance with relevant adopted development plan policies.

## **Raising the quality of place making and design**

- 4.2 Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality), DM36 (Extensions and Alterations to Existing Dwellings)
- 4.3 The proposed extension at first floor level would not extend beyond the rear wall of the ground floor extension. As such, it is considered of moderate length and not of substantial mass or over bulky appearance. In addition, the moderate length of the first floor extension would not result in an over-dominant appearance along the flank side of the dwelling that would harm the design of the dwelling or be in any way visually intrusive to the detriment of the character or appearance of the local area and neighbourhood.
- 4.4 Whilst the appearance of the first floor rear extension is contemporary by design with a cat-slide roof feature, the development of moderate length, with matching facing brickwork and tiles to the application dwelling, would be in keeping with the design to the host dwelling and remains subservient to it. As such, there is no objections to the proposal in general.

## **Amenity of existing and future residents**

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

- 4.5 This application was deferred from the previous Planning Committee for a light assessment to be conducted. Letters of objection had been received from the adjacent dwelling, no.11 concerning the loss of light to their rear ground floor habitable room. There had been a previous refusal on the grounds of the loss of residential amenities to the adjacent dwellings. The amendments submitted by the agent represented adjustments to the design of the scheme to reduce its impact.
- 4.6 The height, separation and design of the extension complies with the 45 degree light angle guidance. The BRE assessment provides a more detailed analysis of the proposed impact. Daylight is considered under what is termed as the Vertical Sky Component and a figure of 27% is deemed as acceptable. The measurement is taken from the centre point of the affected window. For sunlight an acceptable level is 25% of annual probable sunlight hours reaching the same point is considered acceptable, including at least 5% of annual probable sunlight hours in the winter months between 21 September and 21 March.
- 4.7 For the rear facing ground floor window at No11, adjacent to the applicant's existing single storey extension, this addition clearly affects light, as has been seen from photographic evidence presented to the Committee. The Vertical Sky Component figure is currently at 32%, with the annual probable sunlight figure being 33% and the winter months figure being 7%. This all represent acceptable levels of light, although it is acknowledged that the extension causes some loss of light. With the orientation of the site, the most significant impact occurs during winter months in the middle of the day.
- 4.8 The proposed extension does not alter these results. The impact if calculated by the relative height and distance of any obstruction to light and although the extension now proposed is higher, it is that much further away and thus, the Vertical Sky Component and annual probable sunlight hours results remain unchanged. Therefore, the BRE assessment clearly demonstrates that the proposed development will not cause any unacceptable loss of light to the neighbouring property.

- 4.9 There is no loss of privacy to both side of the neighbours, with windows affording no more significant overlooking than is available from existing windows.
- 4.10 With the proposed rear extension to set in approx. 1m from the shared boundary to no.11 and the maximum length limited to 3.5m, the proposal would not be overbearing to the rear habitable rooms of no.11. The proposed extension, by virtue of its size, scale and siting in relation to the adjacent bungalow, no.7, would result in similar relationship between no.11 and its adjacent bungalow, no.15. Given the presence of existing precedents, there is no objections to the proposed development.

#### **Transport matters and parking**

- 4.11 Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)
- 4.12 The existing dwelling consists of a 6 habitable room/3 bedroom dwelling. The addition of a first floor rear extension would not alter existing habitable room numbers within the dwelling.
- 4.13 As such, there is no further increase to on-site parking requirements under the standards. The provision remains as 2 parking spaces and existing parking arrangement via front driveway is considered acceptable.

#### **Flooding and drainage**

Wycombe District Local Plan (August 2019): DM39 (Managing Flood Risk and Sustainable Drainage Systems)

- 4.14 Application site does not fall within any known Flood Zone areas.

#### **Green networks, infrastructure and environmental issues**

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth),CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM11 (Green networks and infrastructure)

- 4.15 Policy DM34 requires all development to protect and enhance both biodiversity and green infrastructure features and networks both on and off site for the lifetime of the development. No assessment has been provided with this proposal so it falls to the Local Planning Authority to consider what would be proportionate for the development proposed.
- 4.16 In this case, given the scope of the proposal and to enhance on-site green infrastructure and associated biodiversity, a condition would need to be imposed on any permission requiring, a bird box to be included in the proposed development.

#### **Ecology**

Wycombe District Local Plan (August 2019): DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development)

- 4.17 There are no identified presence of protected species on site.

## **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 amend's 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,
  - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord with the adopted development plan policies.

## **6.0 Working with the applicant / agent**

- 6.1 In accordance with paragraph 38 of the NPPF (2019) Buckinghamshire Council (BC) 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. BC 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 applicant/agent was updated of any issues after the initial site visit with concerns being expressed regarding the impact on the neighbouring property. Subsequently amendments were submitted, which officers consider are acceptable in overcoming these concerns. However, a local Councillor has requested that the application be referred to the Planning Committee.

## **7.0 Recommendation**

Application permitted subject to the following 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 220.026; 220.026-01 rev D; 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 and roofs shall be of the same colour, type and texture as those used in the existing building, unless the Local Planning Authority otherwise first agrees in writing.

Reason: To secure a satisfactory external appearance.

4. No further windows or openings of any kind shall be inserted in the first floor or above flank elevations of the development hereby permitted.

Reason: To safeguard the privacy of occupiers of the adjoining properties.

5. Before the first occupation of the building/extension hereby permitted the roof light(s) at loft area facing no.11 shall be fitted with obscured glazing. The window(s) shall be permanently retained in that condition thereafter.

Reason: To protect the privacy levels of the occupiers of adjacent dwellings.

6. All development is expected to result in a net increase in biodiversity and ecological features proportionate to the development proposed. In order to enhance and increase biodiversity opportunities, a bird box shall be attached to the structure and thereafter retained for the lifetime of the development.

Reason: To comply with the requirements of policy DM34

## **APPENDIX A: 21/05015/FUL**

### **Consultation Responses and Representations**

#### **Ward Councillor Comments**

##### **Councillor Brian Pearce**

Councillor Pearce has made neutral comments on the 25 March 2021 regarding the application and noted the amenities concerns to adjacent neighbours, no.7 and no.11 and concerning the potential overshadowing from the proposed two storey rear extension, impact to the character of the local area and in addition the proposal can be viewed from public areas such as Fernie Fields Recreation Ground.

“Regarding the above reference, namely the rear extension to the property at number 9 Lansdell Ave;

From what I have seen of the plans, this appears to be a kind of monstrosity.

My main concern is the blight that it will cause upon neighbours, number 7 and number 11, particularly the light issue at number 11.

My understanding is that one is entitled to light coming into one’s home but not necessarily the view from it.

This proposed extension is overpowering and I am sure will block out more light than the 45 degree ruling.

There is also a window proposed right on the boundary on the upper floor.

This is, I always thought, to be a bad practice.

I believe that other plans have been put forward but turned down, again due to the light issue at number 11.

At present there is a single story extension to the rear of number 9.

I have seen photographs showing that the whole of the patio area and doors of number 11 are cast under a distinct shadow due to the building at present.

I believe that the proposed double story extension at the rear will inevitably cast a much bigger shadow and consequently, a blight to the property in general.

I'm sure if you have taken this into consideration but this can be viewed from a public area, namely, Fernie Fields Recreation Ground.

I'm not sure as to the bearing of this but it should, I believe, be taken into consideration.

Of course I am appearing neutral on this and these are just my observations but it does seem outrageously detrimental to the character of these houses as they stand at present.”

#### **Parish/Town Council Comments/Internal and External Consultees**

##### **High Wycombe Town Unparished**

##### **Representations**

4 letters of representation received with objections on the grounds of :

- Loss of light, overshadowing and amenity harm to the neighbouring properties.
- Contrived design

- Overlooking
- Overbearing and un-neighbourly forms of development
- Noise impact
- Access and maintenance issues
- Encroachment issues

# APPENDIX B: Site Location Plan

21/05015/FUL  
Scale 1/1250



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Ordnance Survey 100062456