



Appeal Decision

Site visit made on 5 March 2013

by Julie German BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 March 2013

Appeal Ref: APP/K0425/D/13/2191330

Fernlands, Chapel Lane, Naphill, High Wycombe, Bucks. HP14 4RB

- 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 Stuart Fraser against the decision of Wycombe District Council.
 - The application Ref 12/05936/FUL, dated 10 April 2012, was refused by notice dated 16 November 2012.
 - The development proposed is a double storey extension incorporating a garage to the north west elevation of the existing property.
-

Decision

1. The appeal is dismissed.

Main Issue

2. I consider that the main issue is the effect on living conditions at neighbouring properties, with particular reference to outlook and light.

Reasons

3. Fernlands is a detached house. The proposal entails the erection of a two storey side extension incorporating a single garage. About half of the garage would extend forward of the existing front elevation and would have a crown roof. At first floor level the extension would be set back marginally from the existing front elevation. At the rear, the extension would project beyond the existing rear elevation by about 3m on both storeys.
 4. The rear gardens of Herewood and Wychwood adjoin the side boundary of the site and the rear garden of Coromandel adjoins the rear boundary. Herewood and Wychwood are detached chalet bungalows, and Coromandel is a detached house. Both Herewood and Wychwood have short rear gardens.
 5. At Herewood there is a dormer in the rear roof plane. The dormer has two windows; one is a two-light casement window and the other is a three-light casement window. There is a conservatory below the dormer. The proposed extension would be set in from the boundary by about 1.6m to 1.9m. At first floor level it would have a depth of about 10m. I appreciate that the flank elevation of Herewood is set closer to the road than is the front elevation of
-

Fernlands. Nevertheless, from the rear windows at Herewood the outlook would be largely towards the flank elevation of the proposed extension. At first floor level there would be limited articulation in this elevation, comprising a small set-in towards the front, a small top-hung window to an en suite shower room, and a chimney stack. I consider that due to its size, location and design the extension would appear as a monolithic and overbearing presence in the view upwards from the ground floor windows and from the conservatory, and as an oppressive feature in the outlook from the dormer windows, from which the view would be direct and at close range. In addition, I am concerned that the rear part of the extension would block a certain amount of morning sunlight received at Herewood due to its position to the east, and would reduce daylight due to its size and proximity. This compounds the harm to amenity due to the effect on outlook. In respect of Herewood, therefore, I conclude on the main issue that the proposed extension would be significantly harmful to living conditions due to its impact on outlook and loss of light.

6. Whilst the Council's reason for refusal makes specific reference only to Herewood, reference is also made more generally to the effect on immediate neighbours. In this respect, representations have been received from the occupiers of Wychwood and Coromandel.
7. There would be two bedroom windows in the rear elevation of the extension at first floor level. These would be close to the rear boundary of Wychwood. Albeit that the angle of view would be oblique and that there is vegetation along the boundary, I believe that the degree of overlooking, particularly of the rear garden, would be intrusive and unneighbourly. The proposal would therefore be unacceptably harmful to living conditions at Wychwood due to loss of privacy.
8. The distance between the rear bedroom windows and the boundary with Coromandel is shown on the submitted drawings as 11.75m, and I understand that the depth of the rear garden at Coromandel is 12m. I appreciate that this would bring bedroom windows some 3m nearer to Coromandel than is currently the case. In my experience, however, a back to back distance of about 22m is commonly held to be acceptable in a built-up area, where a degree of mutual overlooking is to be expected. On this basis, I do not consider that the increased level of overlooking of Coromandel that would result would be sufficient to justify the withholding of planning permission in this case.
9. In respect of Herewood and Wychwood, therefore, the proposal would conflict with Policy H17 of the Wycombe District Local Plan to 2011 which states that house extensions will not be permitted where the proposal would have an adverse effect on the residential amenities of neighbouring properties. It would also conflict with Policy G8 which seeks to safeguard the amenity of surrounding occupants in respect of light, privacy and visual intrusion, and with Policy CS19 of the Wycombe Development Framework Core Strategy which seeks high standards of design in respect of the amenity of neighbouring uses.
10. In addition to the effect on living conditions at neighbouring properties I note that concern has been voiced in respect of the effect of the extension on the character and appearance of the area. For example, it is contended that it would diminish the gap between the existing properties. I recognise that there is a certain rhythm in the spacing of properties on Chapel Lane. However, the relationship between Herewood and Fernlands is rear to side rather than side to

side. As such I believe that the rear garden at Herewood provides a visual gap along Chapel Lane which is not dissimilar from the side to side gaps nearby. More generally, I do not consider that the proposal would diminish unacceptably the openness of the lane. Accordingly, the proposal would not result in any material harm to the landscape of the Chilterns Area of Outstanding Natural Beauty within which the site is located.

11. I have noted the calculations of the appellant in respect of light but I have assessed the proposal on its own merits according to my own judgement and following a site visit. I have also noted submissions in respect of trees which have been removed but it falls to me to assess the circumstances of the proposal as they now pertain.

12. Notwithstanding my findings in respect of Coromandel and the character and appearance of the area I conclude overall that the harm to living conditions at Herewood and Wychwood would be substantial and is overriding.

13. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Julie German

INSPECTOR