
Appeal Decision

Site visit made on 7 November 2016

by G D Jones BSc(Hons) DipTP DMS MRTPI

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

Decision date: 28 November 2016

Appeal Ref: APP/X0360/W/16/3153550

40 Church Road, Earley, Wokingham RG6 1HS

- 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 D Seward and Mrs K Adams against the decision of Wokingham Borough Council.
 - The application Ref 153205, dated 24 November 2015, was refused by notice dated 22 January 2016.
 - The development proposed is the construction of a new dwelling in the rear garden on 40 Church Road.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect that the appeal development would have on the character and appearance of the area, including in respect to any effect on trees.

Reasons

3. The appeal site is described as 40 Church Road and includes a two-storey detached house and its grounds. It extends towards a residential street to the rear/east, High Tree Drive. The proposed house would sit in what is currently part of the rear garden of No 40, roughly between 27 and 33 High Tree Drive. Consequently, although its access would be gained from Church Road and notwithstanding mature planting adjacent to the street, the proposed two-storey house would be primarily perceived in the context of High Tree Drive.
 4. High Tree Drive is a reasonably modern residential street. Although there is variety in the house types there are a number of themes that are consistent in the vicinity of the appeal site that give this part of the street a reasonably strong, cohesive character and appearance. These include that the houses are largely two-storey detached buildings of similar scale incorporating common design features such as front gables, bay windows and half-hipped roof forms. The street scene is also characterised by frontage development set a few metres back from the pavement or in clusters around small off-shoots from the principal carriageway.
 5. The proposed house broadly takes reference from these neighbouring houses, in terms of its general scale and alignment. However, as its front elevation
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would face northward away from the street, the proposed dwelling would have the appearance of turning its back somewhat on High Trees Drive. Although some design characteristics of neighbouring properties, such as a bay window and the facing materials, would be employed, this arrangement would be at odds with the grain of the nearby street scene. This uncomfortable relationship would be emphasised by the alignment of the roof ridge to the appeal dwelling running perpendicular to the street in contrast to the majority of the neighbouring houses as well as by the proposed building's comparatively narrow width.

6. There is a small wedge of land that sits between High Trees Drive and the site on which there is reasonably substantial, mature planting much of which is evergreen. I have found no reason to believe that the appellants own or have any interests in this neighbouring land. The existing planting within it would go some way to screening the development. However, due to visual gaps to each side, the house would be very readily apparent from the street. This intervening land and planting would also serve to undermine the proposed dwelling's functional and visual relationship with High Trees Drive. For all of these reasons the proposal would also be a form of backland, tandem development.
7. For the reasons outlined above, therefore, the proposed development would appear awkward, sitting uncomfortably between Nos 27 and 33 and would detract from the consistency of the form and pattern development in this part of the street.
8. The proposed house would be set back a reasonably substantial distance from the planting beyond its eastern boundary and there is no evidence to indicate that this planting would be materially affected by the scheme. The site is also the subject of a Tree Preservation Order covering two Oak trees, which have been removed. The evidence indicates that the Council gave authorisation for these trees to be removed subject their replacement.
9. In order for the requisite replacement trees to make a mitigating contribution to the character and appearance of the area, they would need to be planted where they would be visible from the public realm and be reasonably substantial species. On this basis they would be likely to be planted either to the Church Road frontage or in the vicinity of the proposed house.
10. In either of these scenarios there would be limited space, such that the trees would be likely to struggle to establish themselves. However, if they were to become established, the trees would also be likely to be poor neighbours to the dwellings within the site due to their likely proximity and size. For instance, as a consequence of their effect on the living conditions of occupants in regard to light and outlook. In turn, such circumstances would also be likely to lead to pressure for the trees to be felled. These considerations add further weight to my conclusion that the proposals would be detrimental to the character and appearance of the area.
11. For all of the foregoing reasons, therefore, the proposed development would have a harmful effect on the character and appearance of the area. Consequently, it conflicts in this regard with Core Strategy Policies CP1 (sustainable development) and CP3 (general principles for development) of the Wokingham Borough Core Strategy January 2010 and Policy TB06 (development of private residential gardens) of the Wokingham Borough

Adopted Managing Development Delivery Local Plan February 2014 (the Local Plan) and with the Borough Design Guide SPD June 2012.

Other Matters

12. Neighbouring residents have expressed other concerns regarding the effect of the development. However, these have not altered my overall conclusion. Although the third refusal reason refers to Policy TB07 of the Local Plan it is not directly relevant to any of the reasons for refusal and I have found not conflict with it.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

G D Jones

INSPECTOR