
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/16/3152525

78 Reading Road, Finchampstead, Wokingham RG40 4RA

- 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 T Staines and Ms J Cockrem against the decision of Wokingham Borough Council.
 - The application Ref 153485, dated 29 December 2015, was refused by notice dated 11 May 2016.
 - The development proposed is replacement of existing bungalow and garage including new access.
-

Decision

1. The appeal is allowed and planning permission is granted for the replacement of an existing bungalow and garage including new access at 78 Reading Road, Finchampstead, Wokingham RG40 4RA in accordance with the terms of the application, Ref 153485, dated 29 December 2015, subject to the conditions contained within the Schedule at the end of this decision.

Main Issues

2. The main issues are the effect that the proposed development would have on the character and appearance of the area and on the living conditions of occupants of 76 Reading Road, with particular regard to light.

Reasons

Character and Appearance

3. The appeal site is located at the edge of an existing settlement but beyond any settlement boundary as designated in the development plan. Much of the surrounding land is countryside, including the land to the west of the site on the opposite side of Reading Road. Nonetheless, the site forms part of a lengthy run of residential properties within this small settlement which line much of this part of Reading Road. Due to the length of frontage over which these dwellings are spread, combined with their general design, alignment, scale and prominence, notwithstanding the surrounding countryside, the nearby street scene has a reasonably suburban quality particularly to the northeast of Reading Road.
 4. That street scene is somewhat varied with a range of architectural styles, scale and form. The proposed two-storey house would be substantially larger than the existing bungalow that would be replaced. However, due to its broadly comparable scale and design to that of many of the nearby properties,
-

combined with the generally varied character and appearance of the wider street scene, the proposed development would be in keeping with the residential properties that extend along Reading Road to each side of the appeal site.

5. The Council's policy, in the form of Policy CP11 of the Wokingham Borough Core Strategy January 2010 (the Core Strategy), permits replacement dwellings outside designated settlement boundaries provided that they bring about environmental improvements or would not result in inappropriate increases in the scale, form or footprint of the original building. As outlined above, the proposed dwelling would represent a substantial increase in scale relative to the existing building but would, nonetheless, be in keeping with the character and appearance of the wider street scene.
6. Policy CP11 does not quantify what are *inappropriate increases in the scale, form or footprint*. The Borough Design Guide SPD June 2012 (the BDG) provides further guidance on replacement buildings. The Council's submissions refer to the BDG recommending that such increases should be no more than 50% of the volume of the original building. However, the wider evidence indicates that this is an example of what is acceptable in the case of a one storey development and I have found no reason to believe that a larger increase would necessarily be at odds with the BDG.
7. In the specific circumstances of the case, I do not consider that the appeal development would result in an inappropriate increase in the scale, form or footprint relative to the original building. This is primarily because the proposed house would sit comfortably on the site without harm to the character and appearance of the area. In coming to this view I have also had particular regard to the fact that, although there is open countryside in close proximity, the appeal site is read as very much part of the somewhat suburban grain of residential development that characterises this part of Reading Road. I have also had in mind that Policy CP11 limits development outside settlement boundaries in order to protect the separate identity of settlements and maintain the quality of the environment. For the reasons outlined above, neither of these objectives would be materially infringed or compromised.
8. For all of the foregoing reasons, therefore, the proposed development would not have a harmful effect on the character and appearance of the area and I have found no conflict in that regard with Core Strategy Policies CP1 (sustainable development), CP2 (inclusive communities), CP3 (general principles for development) or CP11, or with the BDG.

Living Conditions

9. The Council's concerns in respect to living conditions are limited to the proposed development's effect on light to the adjoining house, 76 Reading Road, via north facing side ground floor windows. The existing bungalow is located on a different alignment to No 76 such that it is not in line with these windows. In contrast the proposed building would be in line with the windows and also have a considerably greater mass and height relative to the existing bungalow. Given these circumstances, combined with the reasonably narrow gap that would be left between these two houses, the proposed development has the potential to affect light to No 76 at ground floor.

10. However, based on the information before me I am not persuaded that any resultant loss of light would have a material effect on the living conditions of occupants of this neighbouring house. A number of considerations have informed this conclusion, including that the development would be largely to the north such that there would be likely to be a very limited effect on direct sunlight. The evidence also indicates that this part of the ground floor to No 76 is, at least to some extent, open plan. On this basis natural light is likely to be able to permeate the living space in question from other ground floor windows. Moreover, although the gap between the buildings would be reasonably narrow, light would still pass through the windows concerned.
11. On this basis the proposed development would not cause material harm to the living conditions of the occupants of 76 Reading Road as a consequence of its effect on light. In that regard, therefore, it would not conflict with Policies CP1 and CP3 of the Core Strategy or with the BDG.

Other Matters

12. I have also taken into account the wider evidence including in respect to the Council's approach to other planning permissions for development elsewhere. However, these have not led me a different overall conclusion.

Conditions and Conclusion

13. The Council has suggested a number of conditions, including the standard implementation condition. I have considered these in the light of government guidance on the use of conditions in planning permissions and made amendments accordingly.
14. In order to provide certainty a condition would be necessary to specify the approved drawings. A condition would be necessary to ensure that materials used are appropriate to their context to protect the character and appearance of the area. For that reason a condition would also be necessary to secure landscape works and mitigation. In the interests of highway safety a condition would be necessary to secure the implementation and retention of on-site parking.
15. The Council has also requested a condition that would remove certain permitted development rights. Government guidance on the use of planning conditions states that such conditions should only be imposed exceptionally and if imposed should only control what is absolutely necessary. As I have found no exceptional circumstances within the evidence to justify the withdrawal of the permitted development rights cited, such a condition would not be reasonable or necessary.
16. For all of the reasons given above, I conclude the appeal should, subject to the identified conditions, be allowed.

G D Jones

INSPECTOR

SCHEDULE OF CONDITIONS FOR APPEAL REF APP/X0360/W/15/3152525:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 3336/200 A, 3336/201 A, 3336/202 A, 3336/203, 3336/204 A, 3336/205.
3. Before the development hereby permitted is commenced, samples and details of the materials to be used in the construction of the external surfaces of the buildings shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the approved details.
4. Prior to the commencement of the development there shall be submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted, and any existing trees or shrubs to be retained. Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the buildings. Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the occupation of the buildings in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species or otherwise as approved in writing by the local planning authority.
5. No part of the dwelling hereby permitted shall be occupied or used until the vehicle parking space has been provided in accordance with the approved plans. The vehicle parking space shall be permanently maintained and remain available for the parking of vehicles at all times.