

Appeal Decision

Site visit made on 18 January 2017

by Les Greenwood MRTPI

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

Decision date: 27 January 2017

Appeal Ref: APP/X0360/D/16/3164738

13 Osborne Road, Wokingham RG40 1TL

- 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 Robert Yorke-Goldney against the decision of Wokingham Borough Council.
 - The application Ref 152355 was refused by notice dated 9 November 2016.
 - The development proposed is alterations to the ground floor, raising the roof and provision of first floor bedrooms with dormers.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effects of the proposal on:
 - i) living conditions at neighbouring properties; and
 - ii) the character and appearance of the building and the local area.

Procedural issue

3. I have considered the appeal on the basis of amended drawings 3289/201B and 3289/202B, which were submitted to the Council and registered during the application process, plus original drawing 3289/203. The main change was that the proposed roof would not be raised as much in the amended scheme. I understand that a further set of amended drawings was submitted but not registered by the Council. I have not seen those drawings and have not taken them into account.

Reasons

Living conditions

4. 13 Osborne Road is a low bungalow, set in a backland position tightly surrounded by 3 other properties: 2 bungalows at 11A Osborne Road and 21A Rectory Road plus a house at 15 Osborne Road. All of these other properties have gardens and windows set close to the bungalow at No 13.
 5. The proposal would raise the roof of the building and add 3 flat roofed dormer windows. The appellant submits that the roof would rise by only about 0.5m
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but the plans appear to show a rise of well over a metre. A small extension would be added to one side, replacing a larger conservatory and filling out the rectangular form of the building.

6. The new roof structure would be close to neighbours' habitable room windows and gardens. The main impact of the extra height and bulk would be on No 11A, which has a living room window, a conservatory and a patio area near to the shared boundary. A long side wall of No 13 sits just behind the boundary fence at a higher level. The eaves would be raised here as well as the roof, creating an intrusive and visually dominant feature due to the proposed height, bulk and close proximity. This would not be unduly overshadowing, because No 11A would continue to get good daylight and sunlight, but it would be overbearing.
7. The other 2 neighbouring properties would retain largely open aspects with plenty of sunlight and light from the sky. All these dwellings also have garden areas set away from No 13. I note that all of the separation distances are less than is set out in the Council's Supplementary Planning Document (SPD) *Borough Design Guide*. In relation to Nos 15 and 21A, however, views would be sufficiently angled and the distances great enough in comparison to building heights to avoid any substantive overbearing effects.
8. The proposed upper floor accommodation would have windows overlooking neighbouring windows and gardens. The 3 dormer windows would face roughly towards the rear of No 15 at very close range. Another window would look towards No 21A, also at close range. All of these windows would serve bedrooms and could not reasonably be obscure glazed. The rooflights on the side facing No 11A would be set at a high level, so would not be a problem. A new raised door and steps on this side would, however, appear to provide very close range views of No 11A's patio and conservatory over the boundary fence or through the trellis on top of the fence. I therefore find that the proposal would seriously infringe privacy at all of these neighbouring properties.
9. I conclude that the proposal would unacceptably harm living conditions at 3 neighbouring properties, due to an overbearing effect in relation to No 11A and overlooking of all 3. The proposal therefore conflicts with the aim of Core Strategy (CS) Policy CP3 and the SPD, to ensure that developments are not detrimental to the amenities of adjoining land users. It likewise conflicts with the National Planning Policy Framework's aim to secure a good standard of amenity for all. The Council has also cited CS Policy CP1 here, but I see no direct relevance to this issue.

Character and appearance

10. Gadd Close is a street of mainly 2 storey houses plus the bungalows at Nos 11A and 13. The architecture here is varied with no strong, unifying theme. No 13 is set back from the street, partly behind No 15 and is not prominent in the street scene. The comparatively small amount of added height and bulk shown on the amended plans would not be particularly significant in this context. The new design would refresh the building and would not be out of character with the area.
11. The Council is concerned that the plot would be overdeveloped. I agree that the plot is restricted in size, with the bungalow situated close to 3 boundaries.

The proposal would, however, slightly reduce the building's footprint and the increase in height would be minor.

12. I conclude that the proposal would not harm the character or the appearance of the building or the local area. In this respect the proposal accords with the aims of CS Policies CP1 and CP3 and the SPD, to maintain or enhance the high quality of the environment, in part by ensuring that proposals are of a high quality of design and of an appropriate scale. It also accords with the Framework's aim to secure quality design that reinforces local distinctiveness.

Conclusion

13. Although I have found in favour of the appellant in respect of the second main issue, my concerns in relation to the matter of neighbours' living conditions are sufficiently compelling for me to conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR