
Appeal Decision

Site visit made on 30 March 2017

by Nick Fagan BSc (Hons) DipTP MRTPI

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

Decision date: 12th April 2017

Appeal Ref: APP/X0360/D/16/3161997

**Moonrakers, Church Lane, Finchampstead, Wokingham, Berkshire
RG40 4LN**

- 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 & Mrs P Neville against the decision of Wokingham Borough Council.
 - The application Ref 161405, dated 20 May 2016, was refused by notice dated 18 August 2016.
 - The development proposed is described as a detached garage with playroom above.
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Decision

1. The appeal is allowed and planning permission is granted for a detached garage with playroom above at Moonrakers, Church Lane, Finchampstead, Wokingham, Berkshire RG40 4LN in accordance with the terms of the application, Ref 161405, dated 20 May 2016, subject to the conditions in the Schedule at the end of this decision.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the area and its likely effect on bats.

Reasons

Character and Appearance

3. Finchampstead is a village with two main clusters of development, one about ½km to the south and another at the northern end of Church Lane near the church and pub. The appeal site is situated at the lower end of Church Lane near the junction of the B3348. Moonrakers is an extended two storey detached dwelling in a group of three houses, the others being Watchfield immediately to the north and Cherry Hill behind it to the east, whose access drive runs past the existing garage located at the southern end of Moonraker's large garden.
 4. The Council confirms that the existing single storey open span garage measures approximately 6.3m by 6.2m. It is raised slightly above the level of Church Lane. The proposal is to replace it with a two storey building measuring 8m wide and 9m deep to provide a garage wide enough to accommodate two cars with a large open plan space above to be used as a games room and gym. The ground level of the new garage building would be lower than the existing garage such that the ridge of the roof would only be
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- 0.35m higher than the existing garage roof according to the Council, which also states that the footprint of the building would be 72m² in contrast to 39m² at present.
5. This part of Church Lane has a rural appearance with high mature hedges which, together with the curves in the road, mean that the new garage would be shielded from wider views. The new building would be bulkier but it would not be particularly prominent even from the road directly in front of it, in part because its ground level would be substantially below the ground level of Moonraker's garden.
 6. The Council is concerned that the building would be tantamount in scale to a new house and that this impression would be exacerbated by the clear separation distance between it and the house and the fact that it would face the road. Whilst I acknowledge such concerns the proposal is not for a new house, which would clearly be unacceptable in this location. There would be no link between the garage floor and the first floor games/gym room, which would only be accessed from the garden. The proposal is clearly for a garage and ancillary domestic floor space.
 7. The appellants have drawn my attention to several large newish garage buildings with first floor ancillary domestic accommodation. I was able to see these as well as several others, including the large thatched double garage at Cherry Hill adjacent. However the examples cited by the appellants do not face the public highway and are not therefore directly comparable with the proposal here. Nonetheless, for the reasons given above, I conclude that the proposed new building would not cause significant urbanisation of a rural location and would not therefore harm the character and appearance of the area.
 8. The main parties also state that the proposed building will be set approximately 2m further back from the road than the existing garage, although this is unclear from the plans. For the avoidance of doubt, my deliberations below are based on the assumption that the building would not be set back 2m – as shown on the submitted block plan. If it was to be then it would have even less impact on the character and appearance of the area.
 9. CS Policy CP3 requires proposals to be of an appropriate scale, mass, layout, built form, height materials and character. Policy CS11 states that proposals outside of development limits will not normally be permitted except where they do not lead to excessive encroachment or expansion of development away from the original buildings. For the reasons given above the proposed garage and play/games/gym room building would comply with these Policies.

Bats

10. The Council says that the site is near to suitable bat foraging habitat, garages have been known to house bat roosts in the District and the absence of a bat roost survey means that these protected species could be adversely affected.
11. I would agree if the existing garage has an enclosed roof but its roof is open internally. Furthermore there are several window openings in the building which would tend to exclude it as a suitable roosting site for bats, given the open span roof. Additionally, despite a close examination, I was unable to

see any evidence of roosting bats, for instance in the way of droppings on the floor or roof timbers. For these reasons I am confident that the demolition of the existing building would be very unlikely to affect bats.

12. CS Policy CP7 seeks to prevent, amongst other things, development that would harm protected species. For the above reasons the proposed development would comply with this Policy.

Conditions

13. The Council has suggested four conditions all of which I consider necessary although I have slightly changed the wording the better to comply with Planning Practice Guidance.
14. A condition is required listing the approved plans to provide certainty. Details of external materials are required to ensure that the building has a satisfactory appearance. And last, the appellants have said that the garage is required to enable the parking of two vehicles and so it must be kept available for that purpose in perpetuity.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed, subject to the conditions below.

Nick Fagan

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: un-numbered Location & Block plans; 1179-1 and 1179-2 Rev D.
- 3) No development shall take place until samples of all external facing materials have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved sample details.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the garage accommodation on the site identified on the approved plans shall be kept available for the parking of vehicles ancillary to the residential use of the site at all times. It shall not be used for any business nor as habitable space.