The Planning Inspectorate

Appeal Decision

Site visit made on 12 June 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

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

Decision date: 3rd July 2017

Appeal Ref: APP/X0360/D/17/3173398
28 Church Hams, Finchampstead, Wokingham RG40 4XF

- 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 Huzzey against the decision of Wokingham Borough Council.
- The application, Ref. 163532, dated 14 December 2016, was refused by notice dated 30 March 2017.
- The development proposed is a first floor front extension and a single storey rear extension to the existing dwelling.

Decision

1. The appeal is allowed and planning permission is granted for a first floor front extension and a single storey rear extension to the existing dwelling at 28 Church Hams, Finchampstead, Wokingham in accordance with the terms of the application, Ref. 163532, dated 14 December 2016, subject to the following conditions:

   1) The development hereby permitted shall begin not later than three years from the date of this decision;

   2) The development shall be carried out in accordance with the following approved plans: Drawing Series: 3162; Plan Nos. 01/LB; 02/LB*; 03/LB; 04/LB; 05/LB; 06/LB; (* Existing Elevations – incorrectly labelled as 01/LB)

   3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building;

   4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 (or any Order revoking and re-enacting that order with or without modification), no windows or similar openings other than those shown on the approved drawings shall be constructed in the first floor or roof of the side elevations of the extension above the garage and as hereby permitted.

Main Issue

2. The main issues are: (i) the effect of the proposed first floor front extension on the character and appearance of the host dwelling and the street scene, and (ii) the effect on the living conditions for the occupiers of Nos. 22 and 24 Church Hams as regards outlook.

Reasons

3. On the first issue, the Council's concern is that the first floor front extension would not maintain 'the style and setting' of the existing dwelling or other houses on the estate.

4. However, whilst I have not observed the design of every property in the Church Hams development, it was readily apparent on my visit that there is a considerable variety. Provided the extension is in keeping with the existing dwelling I cannot see why there would be a problem.

5. In fact the extension would replicate the mock Tudor elevations of large parts of the host dwelling; its ridge line would be set slightly below the existing and on the more important front elevation the roof would remain within the outline of the main part of the house. In addition the existing footprint would not be extended; the roof would be hipped, and overall the scale would not be so large as to be disproportionate to the existing house.

6. Taking all these factors together I see no reasonable basis for rejecting the proposal on the grounds suggested by the Council. Furthermore, the grounds of appeal refer to other very similar developments for which the Council granted permission. Thus on this issue I conclude that the first floor extension would not have a harmful impact on either the host dwelling or its surroundings in conflict with Policy CP3 of the Wokingham Core Strategy DPD 2010 and Section 7: 'Requiring Good Design' of the National Planning Policy Framework 2012 ('the Framework').

7. On the second issue, the Council's objection is that the first floor extension would be overbearing in the outlook from Nos. 22 and 24 on the opposite side of the informal driveway. However, as the appellant has pointed out, those properties are some 25 and 20 metres respectively from the extension and well within the guidelines in the Council's Design Guide SPD, which seeks to avoid such issues as inadequate outlook. There will therefore be no adverse effect on living conditions as regards outlook in conflict with the core planning principles of the Framework.

8. I also note that the occupier of No. 34 has objected on grounds including a loss of sunlight and privacy. However with the hipped roof and the sun being at its highest when any shadowing would occur, the effect on sunlight will only be slight, whilst the first floor windows will be opaque glazed and non-opening at eye level or below.

9. Overall, I conclude that the appeal should be allowed. A condition requiring the development to be carried out in accordance with the approved plans is needed for the avoidance of doubt, whilst a condition requiring external materials will safeguard the appearance of the existing dwelling. A condition withdrawing permitted development rights for additional flank windows will ensure that there is no future overlooking. The Council has also suggested a condition requiring the garage to be retained for parking, but this fails the standard tests for conditions as it is not sufficiently related to the development now proposed.

Martin Andrews

INSPECTOR