
Appeal Decision

Site visit made on 20 June 2017

by Amanda Blicq BSc (Hons) MA CMLI

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

Decision date: 5 July 2017

Appeal Ref: APP/W0345/W/17/3169276

27B Priest Hill, Caversham, Reading, Berkshire RG4 7RZ

- 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 and Mrs M Clayton against the decision of Reading Borough Council.
 - The application Ref 161597, dated 29 June 2016, was refused by notice dated 16 November 2016.
 - The development proposed is first floor rear extension and second floor loft extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Although there is no date on the application form, the evidence before me indicates that it was signed on 29 June 2016, and this is the date I have used in the heading above.
3. For clarity I have used the appellants' names as given on the decision notice.
4. The evidence before me indicates that the Council and interested parties consider the use of the existing roof terrace to be unauthorised. However, that is not a matter for this appeal and I have not considered it in my reasoning.
5. One of the interested parties referred to Policy DM10 of the Local Plan¹ (LP) in their representation. As this policy was not supplied by the Council as part of their submitted evidence, I requested a copy during the appeal and gave the appellant an opportunity to comment on its content. The appellant has subsequently referred me to the emerging Local Plan², but as this would constitute new evidence, I have not included this in my reasoning. In any case, there is no evidence before me to indicate that it contains adopted policy.

Main Issues

6. The main issues are the effect of the development on:
 - the character and appearance of the area; and,

¹ Reading Borough Council, Sites and Detailed Policies Document, with alteration adopted January 2015

² Email correspondence dated 29 June 2017

- the living conditions of occupiers of neighbouring dwellings with particular regard to outlook, light and privacy.

Reasons

Character and appearance

7. The appeal site is an upper floor flat (No 27b) situated in a series of substantial semi-detached dwellings. Number 27b has an existing first floor rear projection and associated roof terrace above ground floor accommodation for 27a Priest Hill (No 27a). There is also a modest rear box dormer.
8. The development would comprise the replacement of the first floor projection with a two storey structure, whose footprint would extend almost to the full depth of the existing roof terrace and be about 1 metre wider than the existing projection. The ridgeline of the development would be very close to that of the host dwelling and its length would be some 50 per cent longer. Furthermore, the pitched roof would join with a proposed extension to the box dormer. This would add considerable height, bulk and massing to the host dwelling's roof form.
9. The attached house, 25 Priest Hill (No 25), has a two-storey rear projection whose size, height and scale is clearly subordinate to the main house³. The height and depth of this rear projection appears to be largely consistent with rear projections at 21 and 23 Priest Hill, the pair of dwellings to the immediate east⁴. I noted in particular that the eaves height of No 25's rear projection is lower than the eaves of the main house.
10. The appellant argues that the development would add only 1.5 metres in height to the existing extension's roof. Nonetheless, this would have a significant effect on the overall roof form, as outlined above. In any case, in the context of the host dwelling⁵, this is a significant dimension.
11. Furthermore, the SPG⁶ states that the Council will not normally grant permission for rear extensions longer than 4 metres, unless the house and garden are capable of taking a longer extension in order to allow the penetration of light and sunlight. I appreciate that the kitchen itself would be extended by some 3 metres, but the outer flank wall to the second floor would be extended by some 7.5 metres⁷.
12. Consequently, I conclude that the original form of the host dwelling would be subsumed into the development at the rear, which would appear disproportionate in size and scale compared its neighbours. The effect of this increase in bulk and massing would also be exacerbated by the positioning of No 27 above No 25, due to the underlying gradient⁸.
13. I disagree with the appellant that the development would be similar to the rear projection at No 25. That projection is clearly subservient to the host dwelling, as its ridgeline is considerably lower than that of the main house, which would not be the case here. Furthermore, the impact of the development's height

³ Noted at the site visit and confirmed in rear elevation of approved development at 25 Priest Hill.

⁴ Also shown in Photograph 17.

⁵ The existing eaves to ridge height appears to be about 3 metres.

⁶ Reading Borough Council, A Design Guide to House Extensions, May 2003.

⁷ Measured at eaves height from Dwg. 2016.07.01-01 Rev B.

⁸ I noted on site there is a difference of about 10 brick courses between the eaves height of the two dwellings.

and length would be exacerbated by the reduced lateral separation between it and No 25, as well as the combined massing of the pitched roof form and enlarged box dormer.

14. The appellant has drawn attention to a perceived inconsistency in the Council's decision making between this development and the development at No 25. However, given the clear differences in scale and form between this appeal and No 25, I see no inconsistency in the Council's approach. As such, I give little weight to this argument.
15. I have reviewed the evidence that indicates extensions to dwellings in the vicinity. However, there is nothing before me to indicate the planning context under which such extensions were approved. Furthermore, I am concerned with the immediate series of dwellings within which the appeal site lies. I have noted above that the existing projections to Nos 21, 23 and 25 appear to show a degree of consistency in relation to height and form. Consequently, I disagree that the development would blend in with the existing rear aspect of the dwellings in this area. In any case, precedent does not necessarily warrant the perpetuation of harm and every appeal is determined on its merits.
16. I appreciate that the third storey of the development would be largely contained within the roof-space, but nevertheless it remains that the roof-space would be significantly extended beyond its current form.
17. In the light of the above, I agree with the Council that the development would represent an unacceptable increase in bulk and massing, and would appear overly dominant in relation to both the host dwelling and surrounding dwellings. As such, I conclude that the scale of the development would be detrimental to the character and appearance of the area, and that this would be contrary to the design aims of Policy CS7 of the Core Strategy⁹ as well as guidance contained in the SPG.

Living conditions

18. The ground floor accommodation at 25 Priest Hill (No 25) has two French doors located on the inner side of its rear projection which appear to serve habitable rooms. These doors face the plot boundary and their outlook is significantly affected by the height and proximity of No 27's existing rear projection. This gives considerable enclosure and limits the area of visible sky. The development would add further height and depth to that projection, and would be closer to these habitable rooms than is currently the case. This would result in a significant overbearing and more pronounced tunnelling effect, with a further reduction in the area of visible sky available to the occupiers of those rooms. There would also be a notable diminution of diffused daylight entering No 27 through these doors, as well as increased overshadowing in the afternoon and evening.
19. The development would also encroach into views from the second floor box dormer of No 25, although the enclosing effect would be moderate. From the rear first floor windows at No 25 the development would reduce overlooking as the existing roof terrace would be removed, which would afford some benefit to the occupiers. However, I consider it likely there would be an overshadowing effect and some reduction in diffused daylight.

⁹ Reading Borough Council, Core Strategy, January 2008, with adopted alteration January 2015

20. The appellant argues that some of the affected rooms at No 25 are little used. Nonetheless, all the rooms I viewed were habitable rooms and I have to consider future as well as existing occupiers in my consideration of this appeal.
21. The proposed landing and staircase linking the development's balcony to the garden would be located hard against the boundary with 29 Priest Hill, (No 29), and would bring future occupiers of No 27b some 800mm closer to the rear terrace of No 29 than is currently the case. Although No 29 has a substantial screen between its rear terrace and the plot boundary, the landing and staircase would be situated beyond this screen. In any case, the screen would not be high enough to prevent users of the staircase from being visible from No 29 or from being able to see over the top. The appellant argues that the staircase would give greater privacy to occupiers of No 29 than is currently the case. However, as there is currently no staircase, I am not satisfied that this argument supports the appellant's case.
22. As such, given the height and proximity of the landing and staircase to No 29's boundary, I conclude that its use would be highly intrusive for occupiers of No 29 and would have a significant adverse effect on their living conditions with regard to privacy.
23. I acknowledge that the balcony would be sited within the footprint of the existing roof terrace, but the terrace does not have a staircase and is separated from the boundary with No 29 by a narrow walkway at ground level. It is argued by the appellant that there are other high level balconies and access points in the area. However, even if this is the case, it does not justify the effect of this staircase on occupiers of No 29.
24. The Council has also raised a concern in respect of the visual impact of the staircase, but I am not satisfied that this would be particularly intrusive on its own, given the existing juxtaposition of the roof terrace balustrade, screen wall at No 29 and boundary treatments.
25. The occupiers of No 29 have raised a concern in relation to overlooking of their garden. I agree that there would be some overlooking and loss of privacy. Although other dwellings have windows at the end of their rear projections, the development's third storey window would be considerably higher than others in the area.
26. With regard to light, the proximity and relative orientation of the development would be likely to cause significant overshadowing of the rear of No 29 at particular times of day and year. The appellant argues that the Council would have asked for additional information in this respect had this been a particular concern. However, light loss is mentioned in the officer's report and the decision notice, as well as in representations from occupiers of No 29. Consequently, I conclude that the Council considers this to be of concern and on the basis of the evidence before me I see no reason to disagree in relation to overshadowing.
27. I am less satisfied that there would be a significant reduction in diffused daylight for occupiers of No 29 at ground or first floor level. Windows on its rear elevation would not face the development and the existing projection already extends beyond No 29's rear elevation. However, although loss of daylight for these windows would not be sufficient to warrant dismissal of the

appeal in the absence of other concerns, this reinforces my conclusions that the development would be overly large for the site.

28. The height and length of the extension's flank wall just a few metres from No 29, would also have a significant enclosing and overbearing effect.
29. As the development would be above No 27a, and the conservatory is the sole source of light for the kitchen/diner, there would also be some loss of light for those occupiers. I appreciate that the existing occupier has no objection to the development but this does not alter my reasoning. The increased height of the development in association with reduced lateral separation with No 25, would also lead to it having an overbearing effect on the outlook from No 27a's conservatory.
30. I am not satisfied that the high level slot windows proposed in the development's flank walls would lead to significant overlooking of either No 25 or No 29. In any case, if the appeal was allowed, a condition could be imposed to ensure they were fitted with fixed lights and obscure glazing which would mitigate loss of privacy.
31. In the light of the above, I conclude that the development would have significant adverse effects on the living conditions of occupiers of Nos 25, 27a and 29, in relation to outlook and light, and No 29 in relation to overlooking.
32. This would be contrary to LP Policy DM4 which states that development will not cause a significant detrimental impact to the living environment of existing residential properties in terms of privacy and overlooking, access to sunlight and daylight, and visual dominance and overbearing effects. It would also fail to meet the provisions of Paragraph 17 of the National Planning Policy Framework (the Framework) which seeks to ensure a good standard of amenity for all existing and future occupiers of land and buildings.

Other matters

33. The appellant has raised a concern in relation to the Council's handling of the application. However, whilst I appreciate the appellant's concerns, they are outside the scope of this appeal.
34. The appellant has highlighted what appears to be an inconsistency in relation to the Council's approach to the living conditions of future occupiers when the application for No 25's extension was considered¹⁰. However, as outlined above, Paragraph 17 of the Framework is clear that the amenities of future occupiers are to be taken into account.
35. Photographs have been submitted to indicate the range of building form in the area. However, none appear to show a rear gable of similar depth and height to that proposed here.
36. The appellant has also raised an objection to one of the Council's suggested conditions. However, as I have found sufficient harm to warrant dismissal of the appeal, there is no need for me to consider this point further.
37. Issues raised by the appellant in respect of ownership of No 25 are not of relevance to this appeal. Nor is the selection of roofing materials, as raised by an interested party. In any case, if the appeal was to be allowed, a condition

¹⁰ Final Comments

could be imposed ensuring the Council's approval of all materials if it was considered reasonable in planning terms.

38. One of the interested parties has drawn my attention to LP Policy DM10. However, this appears to be related largely to the parameters affecting the creation of amenity space associated with new development and is of lesser relevance to this appeal than the policies cited above. Other issues and policies have also been mentioned, but as I have found harm in respect of the main issues, it is not necessary for me to consider these further.

Conclusion

39. I appreciate that the development would provide family accommodation but that does not justify a development which would be unrelated to the character and form of the established building pattern. Nor would the limited benefit to the appellant outweigh the additional harm identified above in relation to the living conditions of occupiers of neighbouring dwellings.
40. For the reasons given above and taking all matters into account, I conclude that the development would be contrary to the relevant policies of the Council's Local Plan and Core Strategy and there are no material considerations of such weight as to warrant a decision other than in accordance with the aforementioned Local Plan and Core Strategy. Consequently, the appeal should be dismissed.

Amanda Blicq

INSPECTOR