

Appeal Decision

Site visit made on 1 August 2017

by Lynne Evans BA MA MRTPI MRICS

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

Decision date: 15 August 2017

Appeal Ref: APP/W0340/D/17/3176469

16 Bainbridge Road, Calcot, Reading RG31 7BE

- 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 M. Chrustowski against the decision of West Berkshire District Council.
 - The application Ref: 16/03275/HOUSE dated 24 November 2016 was refused by notice dated 14 March 2017.
 - The development proposed is garage and porch extension, and first floor extension above garage.
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Decision

1. The appeal is allowed and planning permission is granted for proposed garage extension and first floor extension above garage at 16 Bainbridge Road, Calcot, Reading RG31 7BE in accordance with the terms of the application, Ref: 16/03275/HOUSE dated 24 November 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: SQ139-10-101 B; SQ139-10-102; SQ139-10-103 B and SQ139-10-104.
 - 4) Before the development hereby permitted is first occupied, the off-street parking space shall have been provided in accordance with the details shown on Plan SQ139-10-104 and thereafter retained and kept available for the parking of vehicles at all times.

Preliminary Issues

2. The proposals, as described in the header above, were amended at the application stage to remove the porch and set back the proposed first floor extension. I have determined the appeal on the basis of these revised plans and amended the decision above to remove reference to the porch. The Council's decision notice also did not refer to the proposed porch.
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Main Issue

3. The main issue in this appeal is the effect of the proposal on the living conditions of the adjoining neighbours at No 18 Bainbridge Road, with particular regard to loss of outlook and over-shadowing.

Reasons

4. The appeal property is a semi-detached, two storey property with attached side garage set back from the front elevation, within a residential development of detached and semi-detached properties. The detached house to the south at No 18 is set at a lower level and is set further back from the road frontage than the appeal property. No 18 has a front bay window and has a largely open plan living space on the ground floor with a conservatory to the rear.
5. One of the Core Principles of the National Planning Policy Framework (Framework) is to ensure a good standard of amenity for existing and future occupants of land and buildings. More detailed guidance on protecting neighbours' amenities is set out in the Council's adopted SPG: House Extensions (SPG). From the information provided by the Appellant and notwithstanding the change in levels between the two properties, I consider that the proposed development would be set at a sufficient distance and would be outside the general line of vision of the neighbours from their rooms with front facing windows at both ground and first floor, in accordance with the guidance in the SPG. I am therefore satisfied that given the proposed relationship of the extended garage at the front and first floor extension over with the front facing windows in the neighbouring property, the proposed development would not have an enclosing effect and would not harmfully intrude on the outlook for the neighbours from these windows. Given the orientation of the two properties, with the appeal property to the north of its neighbour, I am also satisfied that there would be no material harm from the proposed development to the neighbours' living conditions from overshadowing.
6. There would also be no harm to the neighbours' living conditions at the rear of their property given the relative siting of the two properties, with No 18 extending further to the rear than the appeal property.
7. I am therefore satisfied that there would be no material harm to the living conditions of the neighbours at No 18 Bainbridge Road, with particular regard to loss of outlook and overshadowing. There would be no conflict with Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the Council's adopted SPG as well as the Framework, all of which seek a high quality of design which protects the amenities of adjoining occupants.

Conditions and Conclusion

8. In terms of conditions, matching materials with the existing dwelling are required in the interests of protecting the character and appearance of the existing property and of the local area. I shall also add a condition to list the approved plans for the avoidance of doubt and in the interests of proper planning. I agree that the further condition proposed by the Council regarding the provision of on-site parking is necessary and appropriate in highway terms given the limited availability of on-street parking in the vicinity of the appeal site and therefore in the interests of highway safety and the free flow of traffic.

9. The neighbours have raised a concern about foundation encroachment and damage to their garden, but this is a matter which is outside of my remit and would be addressed under other legislation.
10. For the reasons set out above, and taking into account all other matters raised, including in representations, I conclude that this appeal should be allowed.

L J Evans

INSPECTOR