

Appeal Decision

Site visit made on 9 November 2017

by Julie Dale Clark BA (Hons) MCD DMS MRTPI

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

Decision date: 28 November 2017

Appeal Ref: APP/X0360/D/17/3181849

52 Hurst Park Road, Twyford, Berkshire RG10 0EY

- 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 T Fill against the decision of Wokingham Borough Council.
 - The application Ref 171332, dated 14 April 2017, was refused by notice dated 22 June 2017.
 - The development proposed is two storey + single storey front extensions + garage conversion + detached garage.
-

Procedural Matters

1. The postcode on the application form differs from that on the appeal form but the postcode above appears to be correct.
2. In reason 2 of the decision notice reference is made to a rear extension. This seems to be a typographical error as the proposal does not include a rear extension but it does include a front extension.

Decision

3. The appeal is dismissed.

Main Issues

4. I consider that the main issues are the effect of the proposal on:-
 - the character and appearance of the area;
 - the living conditions of the occupiers of No 6 Burton Close; and
 - ecology, in particular protected species i.e. bats.

Reasons

5. The proposal includes a front extension that would comprise two storey and single storey elements. Also included is the proposed conversion of the existing integral garage to living accommodation and the erection of a detached garage. No issues have been raised about the garage conversion and I have no concerns about this part of the proposal.
-

Character and Appearance

6. The appeal site is a detached house at the end of a cul-de-sac. It is currently not prominent in the street scene but the extension would represent a sizable addition to the front of the house that together with the proposed garage would increase its prominence when viewed from the cul-de-sac.
7. Amongst other things Core Strategy Policy CP1¹ seeks to maintain or enhance the high quality of the environment and CP3 sets out general criteria for development and indicates support for proposals that, amongst other things, are of an appropriate mass, layout, built form, height and character to the area. The Borough Design Guide² indicates that alterations and extensions should be well designed; respond positively to the original building; make a positive contribution to the local character; and relate well to neighbouring properties. Furthermore, the SPD explains that the overriding consideration for front extensions is the impact on the street scene and local character. It further advises that garages should not be sited in front gardens.
8. The front extension would be a large addition to the front of the house with the two storey element extending along the existing ridge line. The proposed garage would be located in front of the house and so also be highly visible from the cul-de-sac. By virtue of the size of the front extension and its position on the front of the house together with the position of the garage, I consider that combined these would have a harmful effect on the character and appearance of the area and conflict with policies CP1 and CP3 and the SPD.

Living Conditions

9. In addition to Policy CP1's requirement to maintain or enhance the high quality of the environment, Core Strategy CP3 also seeks to protect the amenities of adjoining land users, amongst other things. The SPD requires extensions and alterations to relate well to neighbouring properties. Although the proposed garage would be located close to the boundary with No 6 Burton Close, I do not consider that it would be of a scale to harm the neighbours living conditions.
10. Due to the relationship between No 52 Hurst Park Road and No 6 Burton Close the proposed two storey element of the front extension would increase the likelihood of overlooking the neighbour's private garden. No 6 Burton Close also has three bedroom windows in the upper floor rear elevation and whilst the relationship of the two dwellings would mean that any overlooking would be at an angle, the forward projection of the two-storey element would be such that some overlooking could occur. I therefore consider that the front two storey extension would have a harmful effect on the living conditions of the occupiers of No 6 Burton Close contrary to policies CP1 and CP3 and the SPD.

Ecology

11. Core Strategy Policy CP3 indicates that planning permission will be granted where, amongst other things, proposals maintain or enhance the ability of the

¹ Wokingham Borough Local Development Framework Adopted Core Strategy Development Plan Document, January 2010.

² Wokingham Borough Council Borough Design Guide Supplementary Planning Document, June 2012 (SPD).

site to support fauna and flora, including protected species. Core Strategy Policy CP7 and Local Plan TB23³ also relate to biodiversity.

12. The appeal documents do not include an ecological survey, which the Council indicate is required in order to assess whether there are bats on the appeal site and whether mitigation measures would be necessary. The Council are of the view that the appeal site could be suitable to roosting bats. No evidence has been submitted which establishes whether bats would be affected or not. In the absence of such evidence I consider that a cautionary approach is not unreasonable and so this matter adds to my concerns bearing in mind the advice in the National Planning Policy Framework⁴ and Circular 06/2005⁵. As such the proposal could conflict with policies CP3, CP7 and TB23.

Conclusion

13. I have considered all matters raised but none alter my conclusion. I conclude that the proposal would have a harmful effect on the character and appearance of the area and that it would have a harmful effect on the living conditions of the occupiers of No 6 Burton Close. Furthermore in the absence of ecological information, the proposal could have a harmful effect on protected species i.e. bats. The proposal would conflict with policies CP1, CP3, CP7 and TB23 as well as the SPD. The appeal therefore fails.

J D Clark

INSPECTOR

³ Wokingham Borough Development Plan - Adopted Managing Development Delivery Local Plan - Enhancing the Borough's environment and character through exceptional development, February 2014.

⁴ Department for Communities and Local Government National Planning Policy Framework, March 2012.

⁵ Circular 06/2005 – Government Circular: Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system, 16 August 2005.