
Appeal Decision

Site visit made on 3 July 2019

by M Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2019

Appeal Ref: APP/X0360/W/19/3226169
42 Norreys Avenue, Wokingham RG40 1UG

- 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 Curcic against the decision of Wokingham Borough Council.
 - The application Ref 182986, dated 29 October 2018, was refused by notice dated 24 January 2019.
 - The development proposed is described as the "Erection of a two storey end of terrace dwelling house and associated development thereto".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues raised in this case are the effect of the proposal on:
 - i) The character and appearance of the area, and
 - ii) The living conditions of the future occupiers of the proposed dwelling and the existing occupiers of 42 Norreys Avenue, with particular regard to garden provision.

Reasons

Character and appearance

3. The appeal site occupies a corner plot, located on the junction of two roads in an area characterised by its spaciousness. The presence of grass verges containing trees, buildings setback from the highway and nearby open space contribute significantly to this spaciousness. Dwellings are generally arranged in small terraces or as semi-detached units, with strong defined building lines along the roads. The use of materials as well as the siting of the built form creates a rhythm in the street.
4. The proposed dwelling would be attached to the side elevation of an existing end of terrace dwelling and would extend towards the boundary of the site, which is bordered by a footway and grass verge. This would introduce a two-storey dwelling in close proximity to the boundary, disrupting the existing building line. This would significantly reduce the open and spacious character of the street at this location and the building would appear as a dominant and assertive feature. Moreover, given the positioning of the dwelling in proximity

to the site boundary, the development would appear cramped and at odds with the well-established and spacious built form present in the locality.

5. When viewed from along the street in the wider context, the proposal would sit forward of established building lines along Norreys Avenue and would be a strident and conspicuous addition to the street scene. As a consequence, it would appear as an incongruous element in an otherwise spacious built form.
6. I note that the external finish of the proposal would match that of the neighbouring properties, however this does not mitigate the harmful effect of the proposal, as I have outlined above.
7. Thus, for the reasons given above, the scheme would have a harmful effect on the character and appearance of the area. The scheme would therefore conflict with Policies CP 1 and CP 3 of the Wokingham Borough Local Development Framework – Adopted Core Strategy Development Plan Document (2010) (the Core Strategy) as well as Policies CC01 and TB06 of the Wokingham Borough Development Plan – Adopted Managing Development Delivery Local Plan (2014) (the Local Plan). Together, and amongst other things, these policies seek to maintain or enhance the high quality of the environment, to ensure an appropriate built form in new development, to approve development that accords with the policies of the development plan and resisting development in residential gardens that causes harm to the local area.
8. The scheme would also conflict with the guidance of the Wokingham Borough Council, Borough Design Guide Supplementary Planning Document (2002) (the SPD) which advocates that residential development should be designed to contribute positively to the character and quality of a local area.
9. The reason for refusal also refers to Section 5 of the National Planning Policy Framework (the Framework), however this section refers specifically to “Delivering a sufficient supply of homes” and no specific conflict with this section has been identified. However, I find that the scheme would conflict with the design aims of Section 12 “Achieving well-design places”.

Living conditions

10. The Council’s Officer Report highlights that the rear elevation of the proposed dwelling would be 10.2 metres (m) from the rear boundary of the site; from the plans before me this would appear to be the same as the neighbouring property. However, part of the garden would be taken up by the inclusion of parking spaces, meaning that the garden would be only approximately 7.2m in depth. This falls considerably below the 11m that is advocated in the SPD and would result in a substandard garden area in terms of its size.
11. The provision of the car parking spaces would also extend into the existing garden area associated with 42 Norreys Avenue, at one of its corners. However, in my view, this loss would not be significant. The full length of the garden would remain for part of its depth and the removal of a corner of the garden, whilst altering its shape, would not result in a space of such an awkward shape so as to materially reduce its usability. I note that the Council highlight that the garden would not meet the minimum requirement in the SPD, however its depth already falls short of this requirement.
12. Thus, whilst the living conditions of the occupiers of 42 Norreys Avenue, would not be materially reduced, this does not outweigh that the scheme would fail to

provide adequate living conditions for future occupiers of the proposed property, with regard to garden provision. Accordingly, the scheme would conflict with Policies CP 1 and CP 3 of the Core Strategy as well as Policies CC01 and TB06 of the Local Plan. Together, amongst other things, these policies seek to provide functional schemes, to ensure schemes provide an appropriate quality of life for occupiers, that development that accords with the development plan is approved and the development of private gardens provides adequate amenity space.

13. The scheme would also conflict with the guidance of the Wokingham Borough Council, Borough Design Guide Supplementary Planning Document (2002) (the SPD) which advocates that gardens should be of a sufficient size to allow for a variety of activities.
14. The reason for refusal also refers to Section 5 of the Framework, however this section refers specifically to "Delivering a sufficient supply of homes" and no specific conflict with this section has been identified. However, I find that the scheme would conflict with the amenity aims of Section 12 "Achieving well-design places".

Other Matters

15. In the reasons for refusal, the Council also cite the lack of mitigation for effects on the Thames Basin Heath Special Protection Area. I note reference within the submissions to a draft legal agreement in respect of securing payment towards mitigating these effects. However, no signed and completed agreement is before me. In any event, as I have found harm above sufficient to dismiss the appeal, the development will not take place and thus there would be no resultant effect on this designated area. As such, I have no need to consider this matter further.
16. I acknowledge that the scheme would make a contribution towards housing provision in general and that it is contended that the site is at an accessible location. The benefits of the scheme in these regards are not sufficient to outweigh the harm that I have identified above.
17. It has been highlighted that a nearby dwelling has had extensions added to it without causing harm. The context of the example given differs from the appeal site in terms of positioning of adjacent buildings and open space. As such it is not directly comparable to the scheme before me, which in any event I have judged on its own merits.

Conclusion

18. For the reasons given above and having regard to all matters raised, it is concluded that the appeal should be dismissed.

Martin Allen

INSPECTOR