



Appeal Decision

Site visit made on 13 June 2019

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 20 August 2019

Appeal Ref: APP/Q3115/W/19/3225909

Jalna, Peppard Road, Sonning Common, Reading RG4 9NJ

- 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 James Stone against the decision of South Oxfordshire District Council.
 - The application Ref P18/S2245/FUL, dated 28 June 2018, was refused by notice dated 14 February 2019.
 - The development proposed is described as single and two storey extension and erection of a new detached two story three-bed dwelling house.
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Decision

1. The appeal is allowed and permission is granted for a single and two storey extension and erection of a new detached two story three-bed dwelling house at Jalna, Peppard Road, Sonning Common, Reading RG4 9NJ, in accordance with the terms of the application Ref P18/S2245/FUL, dated 28 June 2019, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are: (i) the effect of the proposals on the living conditions of the neighbouring occupiers, and (ii) the effect on the character and appearance of the area.

Reasons

Living Conditions: proposed extension to Jalna

3. The appeal site is formed of the dwelling known as Jalna (which is also referred to within some documents as Nuthatch) together with its garden. It is a semi-detached, two storey, 3 bedroomed dwelling attached to a similar dwelling called Stoneylea. The appeal site also includes part of an area of side garden associated with Jalna, situated adjacent to a 1.5 storey bungalow known as Silverlea. The land is largely laid to grass and is flat with an existing fence and a hedgerow boundary.
4. The proposal is for a new detached two storey, 3 bed dwelling, together with a single and two storey extension to Jalna (the host dwelling).
5. Taking the proposed extensions to Jalna first, this would include a single storey side extension across the side boundary of the host dwelling, extending out by 1.29m. There would then be a part single storey extension the rear (projecting

by 3m from the rear wall) closest to the boundary with the Stoneylea, coupled with a further two storey extension (projecting to the rear by 4.6m).

6. Given the overall height of the closest part of the extension to the boundary, it would not impact on the '45 degree' rule, nor would it have an unacceptably overbearing effect on neighbouring occupiers.
7. I therefore consider this part of the proposals to be in accordance with policies CSR1 (Housing in villages) and CSQ3 (Design) of the South Oxfordshire Core Strategy (2012) (SOCS), as well as saved policies D1 (Good design and local distinctiveness), G2 (Protection and enhancement of the environment) and H4 of the South Oxfordshire Local Plan (2006) (SOLP) and policies H3 (Infill); D1 (Design), and D1b (Design on allocated and infill sites) of the Sonning Common Neighbourhood Development Plan (2016) (SCNDP). These policies seek development that is focussed within the most sustainable locations; that respects its surroundings and the living conditions of neighbouring and future occupiers.

Living Conditions: proposed new dwelling

8. The proposed dwelling would be situated around 4.5m from the edge of the adjacent bungalow Silverlea, where the elevation that faces the appeal site contains several windows, including one which serves a bedroom. There would be no window openings in the elevation of the proposed dwelling facing this elevation of Silverlea. In my view, this would result in there being no overlooking into the neighbouring property, resulting in no harm to the privacy of the existing occupiers. From the submissions made by the occupiers of Silverlea, I understand there would be some perception of overlooking from the first floor rear windows into neighbouring gardens. However, I do not consider that this would be significant, given the level of overlooking from the two storey houses within the existing development.
9. The proposed dwelling would roughly fall within the established building line of the existing development. I note that it would project forward of Jalna and Silverlea, but to not to a degree where I consider it would be harmful to the living conditions of existing occupiers. Overall, I do not consider that the proposals would have an overbearing or oppressive effect on neighbouring properties.
10. I find that the proposals are therefore be in accordance with policies CSR1 and CSQ3 of the SOCS; saved policies D1, G2 and H4 of the SOLP and policies H3, D1, and D1b of the SCNDP.

Character and Appearance

11. Sonning Common is a large village, where Peppard Road is located to its southernmost end. This part of the village comprises a development of post-war suburban-style housing arranged in a linear form and contained within a 'triangular' shape bounded by Peppard Road (B481), Kennylands Road and Bird in Hand Lane.
12. From Bird in Hand Lane, a track leads to the appeal site. Each dwelling within the existing development is situated on a reasonably spacious plot, with car parking to the front or side and gardens to the rear which back on to Peppard Road. Many of the dwellings have garages as well as hard standing or

driveway parking and are constructed generally of brick and clay tile, with uPVC windows and doors.

13. The proposed dwelling would be well-proportioned and of a simple and modest design, with a ridgeline that would sit between that of Jalna and Silverlea, creating a 'stepped' effect that I consider would complement the suburban character and appearance of the area. The materials proposed for the dwelling would be in keeping with the immediate surroundings and the separation between the dwellings would remain acceptable and in line with the established pattern of development. I therefore do not consider the development (together with the proposed extension) would cumulatively result in a cramped development.
14. As a result of the proposals, I do not find harm to the character and appearance of the area and the proposals are aligned to policies H3 (Infill); D1 (Design), and D1b (Design on allocated and infill sites) of the SCNDP which seeks development that is well-designed, reflecting the character of an area.
15. I also consider the proposals to be in accordance with policy CSQ3 (Design) of the SOCS which seeks development that respects the character of its surroundings and saved policies G2 (Protection and enhancement of the environment); D1 (Good design and local distinctiveness), and H4 of the adopted SOLP.

Other Matters

16. The application has attracted significant level of interest from third parties, as well as an objection from the Parish Council.
17. I have considered concerns expressed over highways safety and I note the lack of an objection from the highways authority. There is no evidence before me to demonstrate that the addition of an extension to Jalna and a new dwelling would result in severe highways impact locally, I am not persuaded that the appeal should be dismissed on this ground.
18. There are further concerns that the proposal would impact on covenants that may affect the access track to the rear of the properties. However, issues relating to ownership are civil matters and have no bearing on the outcome of this appeal.
19. Finally, there are concerns that the hedge has been removed and works commenced at Jalna. It is not the role of this appeal to determine whether lawful works have been carried out at the site, and I have determined the proposals based on my observations at the site visit and the submissions made by all parties.

Conditions

20. I have applied standard conditions (1 and 2) and exceptionally, a pre-commencement condition requiring materials to be agreed (3) in order to ensure certainty and in the interests of visual appearance in accordance with Policy CSQ3 of the South Oxfordshire Core Strategy 2027 and Policy G2, H4 of the South Oxfordshire Local Plan 2011.

21. I have applied an access, visibility splay and parking and turning conditions (4, 5 and 6) in the interests of highways safety and in accordance with Policy T1 of the South Oxfordshire Local Plan 2011.
22. I have applied a landscaping condition (7) in order that the development assimilates with its surroundings in accordance with Policies CSEN1 and CSQ3 of the South Oxfordshire Core Strategy 2027 and Policies H4, G2, C9 and D1 of the South Oxfordshire Local Plan 2011.
23. Condition 8 revokes the relevant permitted development rights of the dwellings exceptionally, in order that the Council retains control over any future development as specified in the condition in the interests of living conditions of neighbouring occupiers and in accordance with Policy CSQ3 of the South Oxfordshire Core Strategy 2027 and Policies G2 and D1 of the South Oxfordshire Local Plan 2011.
24. Finally, I have applied a condition (9) restricting the construction hours in order to protect the occupiers of nearby residential properties from noise disturbance in accordance with Policy EP2 of the South Oxfordshire Local Plan 2011.

Conclusions

25. Having considered all matters raised, and subject to the specified conditions, I conclude that the appeal is allowed.

Sian Griffiths

INSPECTOR

Schedule of Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
2. That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, PL NB 16A, PL NB 7A, PL NB 3, PL NB 9, PL NB 6C, PL NB 5B, PL NB 8, except as controlled or modified by conditions of this permission.
3. Prior to the commencement of the development hereby approved a schedule of the materials to be used for the external walls and roofs shall be submitted to and approved in writing by the Local Planning Authority.
4. Prior to occupation of the development hereby permitted the proposed means of access onto the unnamed access road is to be formed and laid out and constructed strictly in accordance with the local highway authority's specifications and all ancillary works specified shall be undertaken.
5. The vision splays shown on the approved plan PL-NB-.8, Rev A shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.6 metres as measured from carriageway level.
6. Prior to the first occupation of the development hereby approved, the parking and turning areas shall be provided in accordance with the approved plan PL-NB-.8, Rev A and shall be constructed, laid out, surfaced, drained and completed to be compliant with sustainable drainage (SuDS) principles, and shall be retained unobstructed except for the parking of vehicles associated with the development at all times.
7. That a scheme for the landscaping of the site, including the planting of live trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The scheme shall be implemented prior to the first occupation or use as approved within 12 months of the commencement of the approved development and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub or equivalent number of trees or shrubs, as the case may be, of a species first approved by the Local Planning Authority, shall be planted and properly maintained in a position or positions first approved in writing by the Local Planning Authority.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), the enlargement, improvement or other alteration of any dwellinghouse as described in Schedule 2, Part 1, Class A of the Order shall not be undertaken without obtaining planning permission for the Local Planning Authority.
9. The hours of operation for construction and demolition works shall be restricted to 08:00-18:00 Monday to Friday and 08:00-13:00 on a Saturday. No work is permitted to take place on Sundays or Public Holidays without the prior written authority of the Local Planning Authority.