
Appeal Decision

Site visit made on 4 February 2020

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Wednesday, 19 February 2020

Appeal Ref: APP/X0360/W/19/3241800
344 Barkham Road, Barkham RG41 4DE

- 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 Ben Haines (Haines Homes Construction) against the decision of Wokingham Borough Council.
 - The application Ref: 191882, dated 12 August 2019, was refused by notice dated 25 September 2019.
 - The development proposed is a full application for the proposed erection of one 4 no. bedroom dwelling, with associated landscaping, car parking, bin storage and provision of new vehicular access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has submitted a revised scheme, which, it is contended, addresses concerns raised by the Council. Whilst I have noted this, the revised scheme would represent a notably different scheme, particularly as it features a different fenestration arrangement, is of a different footprint and has a different roof shape. I am also conscious that not all parties have had the opportunity to comment on the revised plans. As this represents a significantly different scheme, I have therefore proceeded on the basis of the plans considered by the Council.

Main Issues

3. The main issues are:
 - the effect of the development on the living condition of the occupiers of the properties at 342 and 344 Barkham Road and 1 Dowles Barn Close, with particular reference to privacy and outlook; and
 - the effect of the development upon the character and appearance of the surrounding area.

Reasons

Living conditions

4. The appeal site consists of an area to the rear of 344 Barkham Road, which is a bungalow. The dwelling that immediately adjoins the site is also a bungalow, with a rear dormer. The garden of this dwelling (No. 342) runs alongside the

- rear boundary of the appeal site. The boundaries of the appeal site are marked by wooden fences. The proposed dwelling would front onto Dowles Barn Close. The property at 1 Dowles Barn Close also adjoins the appeal site.
5. The proposed dwelling would be a house, and in consequence, it would have a height that would be significantly taller than the boundary treatments of the appeal site, and the adjoining properties. Furthermore, the proposed dwelling would occupy a significant proportion of the appeal site's width.
 6. In consequence, the proposed dwelling would have a significant enclosing and overbearing effect on the rear elevation windows and private rear garden of No. 342, which would result in a loss of outlook for the occupiers of the adjoining property. This is of particular concern as the rear garden of this property represents the only private outdoors area where recreation or play might take place. Accordingly, the enclosing and overbearing effect would be significant.
 7. In addition, the side elevations of the proposed dwelling would feature windows at the first-floor level. These would be viewable from the gardens, as well as the rear elevation windows, of Nos. 342 and 344, in addition to the private rear garden of No. 1. Furthermore, it is also likely that it would be possible to view movement behind the windows, whilst noise is likely to be perceptible in the adjoining gardens when the windows are open. In consequence, this would give the perception of a notable loss of privacy to areas which are inherently more sensitive.
 8. The most recent use of the appeal site appears to have been a garden. Therefore, the site of the proposed dwelling currently features relatively small amounts of development. In consequence, the substantial increase in the level of built form arising from the proposal would result in a significant adverse effect upon the privacy levels.
 9. This scenario would be exacerbated by the fact that the dwelling would be notably taller than the existing boundary treatments and landscaping present on adjoining sites. Accordingly, such views from the upper floors of the appeal proposal would not be adequately diffused. I have given consideration as to whether a condition could be imposed that would require screening to be installed within the appeal site to overcome this matter. However, due to the positioning of the proposed dwelling and height of the relevant windows, I do not believe that this could be achieved without causing an even greater enclosing effect.
 10. In addition, the Council's Borough Design Guide Supplementary Planning Document (2012) (the SPD), to which I have been directed is clear that the minimum separation distances should be applied alongside an assessment of the character and context in any specific case. Given the relationship between the proposed dwelling, the neighbouring bungalow and adjoining gardens, there would be an adverse effect on the living conditions of the occupiers of existing properties.
 11. My attention has been drawn to dwellings on the opposite side of Dowles Barn Close. I do not have the full information regarding their planning circumstances, which lessens the weight that I can attribute to them. However, I note that these dwellings are sited to the rear of houses. Additionally, the backland dwellings are located closer to the gaps in between the original

dwelling. This is in contrast to the arrangement of dwellings in Barkham Road immediately adjacent to the appeal site. In consequence, the existing dwellings do not have the same enclosing effect as the proposal before me would have. Therefore, their presence is not sufficient to overcome my previous concerns.

12. I note that planning permission has previously been granted for a development on this site. However, the evidence before me is indicative that this is a smaller dwelling than the scheme before me and with a different layout. Accordingly, I do not find that this is sufficient to overcome the concerns as previously identified.
13. I therefore conclude that the proposed development would have an adverse impact upon the living conditions of the occupiers of adjoining properties. The development, in this regard, would fail to accord with the requirements of Policies CP3 of the Wokingham Borough Adopted Core Strategy (2010) (the Core Strategy) and the SPD. These, amongst other matters, seek to ensure that new developments are of a good quality without harm to the living conditions of the occupiers of neighbouring properties; relate well to neighbouring properties; and take account of the sensitive relationships between existing and proposed developments.

Character and appearance

14. The appeal site is located to the rear of 344 Barkham Road, which is a bungalow and adjacent to a number of other bungalows. Elsewhere within Barkham Road are a number of houses. To the rear of the appeal site are houses of a more recent construction, which are within Dowles Barn Close.
15. Owing to the variety of house types within the vicinity, the creation of an additional dwelling on the appeal site would not result in a particularly strident form of development as it would be viewed against a backdrop of varied housing types.
16. I acknowledge that the site is currently garden land, with the gardens of other properties beyond. The development would result in the original dwelling (at No. 344) having a shorter garden than is currently the case. The resultant garden would also be shorter than the immediate adjoining dwellings in Barkham Road.
17. However, due to the existing boundary treatments at the appeal site and other properties, the current use of the land is not readily apparent when viewed from either Barkham Road or Dowles Barn Close. Accordingly, the site does not currently have a significant degree of openness and, as a result, the erection of a dwelling would not lead to a significant erosion of the area's character.
18. Whilst the proposed dwelling would be near the side boundary of No. 322, this would be viewable at an oblique angle and would, in some parts, be screened by the other dwellings in Dowles Barn Close. In consequence, this relationship would not be overly prominent when viewed from the wider, surrounding area and as such would not be detrimental to the character and appearance of the surrounding area.
19. The development would also retain a garden area to one side, with car parking and manoeuvring space to the other. This would provide a transitional area between the bungalow in Barkham Road and the development in Dowles Barn Close. In addition, had I been minded to allow the appeal, I could

- have imposed a condition requiring the carrying out of a suitable landscaping scheme.
20. Furthermore, the dwelling would front onto the street and reflect the orientation of the neighbouring dwellings in Dowles Barn Close. This ensures that the development would assimilate with its immediate surroundings. In addition, the proposed development includes a design that is comparable to that utilised within the adjoining residential development in Dowles Barn Close. As a result, the proposed dwelling would harmonise with the form of some of the dwellings that are in proximity to the site.
21. I therefore conclude that the proposed development would not lead to an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would comply with the requirements of Policies CP1 and CP2 of the Core Strategy; Policies CC01, CC02, TB06 and TB21 of the Wokingham Borough Adopted Managing Development Delivery Local Plan (2014) (the Local Plan); and the SPD. These, amongst other matters, provide a presumption in favour of sustainable development seek to ensure that new developments relate well to existing properties; maintain or enhance the high quality of the environment; provide high quality landscaping; retain existing character, which integrates into the landscape of the surrounding; and that new housing should relate well to existing street scenes.

Other Matters

22. My attention has been drawn to the processes followed by the appellant in engaged with the Council through pre-application discussions. Whilst this is a matter of note, it does not overcome the harm as previously identified.
23. There is some debate as to whether the Council can demonstrate an adequate housing land supply. However, even if I were to conclude that there wasn't and applied the tilted balance prescribed within Paragraph 11(d) of the National Planning Policy Framework, I would find that the benefits of the development are relatively small given that a single dwelling would be created. This would be demonstrably and significantly outweighed by the harm to living conditions as previously identified.

Planning balance and conclusion

24. Whilst I have found that the proposed development would not result in harm to the character and appearance of the surrounding area, this is outweighed by the effect of the development on the living conditions of the occupiers of the adjoining site. Accordingly, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR