
Appeal Decision

Site visit made on 11 February 2020 by Scott Britnell MSc FdA

Decision by Kenneth Stone BSc(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th April 2020

Appeal Ref: APP/X0360/D/19/3244094

41 Eastcourt Avenue, Earley RG6 1HH

- 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 G Tully against the decision of Wokingham Borough Council.
 - The application Ref 192498, dated 19 September 2019, was refused by notice dated 30 October 2019.
 - The development proposed is a two storey side extension and single storey rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues in this matter are:
 - the effect of the two storey side extension (the side extension) on the character and appearance of the host dwelling and surrounding area; and,
 - the effect of the side extension on the living conditions of the occupants at No 39 Eastcourt Avenue (No 39), with particular regard to outlook.

Reasons for the Recommendation

4. The appeal site comprises a semi-detached dwelling located on the east side of Eastcourt Avenue. The road slopes up from Culver Lane to the north and the appeal property sits forward of No 39 in a staggered building line, which is characteristic for this part of Eastcourt Avenue. The appeal property currently benefits from a single storey attached garage to the side and a single storey extension and conservatory to the rear. The proposal is for a two storey side extension and single storey rear extension.

Character and appearance

5. The appeal property is an attractive and well-proportioned semi-detached dwelling with a hipped roof, which reflects the dominant roof form along this section of Eastcourt Avenue. The proposed side extension would have a gable

end that would contrast starkly with the existing hipped roof and would appear visually jarring. It would add significant bulk and mass to the dwelling and would visually compete with it. Consequently, the proposal would result in an incongruous addition to the appeal property, it would be harmful to its character and appearance and the positive contribution that it makes to the area. This harm would be exacerbated by the exposed nature of the side elevation forward of No 39 Eastcourt Avenue (No 39).

6. Further, due to its size and proximity to the boundary with No 39, the proposed side extension would remove the gap at first floor level that currently exists between the appeal dwelling and the boundary. Such gaps are a characteristic of the semi-detached properties on Eastcourt Avenue, bringing relief to the built form and contributing positively to a pleasant sense of spaciousness. By removing this gap, the proposal would harm the character and appearance of the area.
7. In reaching this conclusion, I have considered the examples referred to by the appellant of properties that have been extended at first floor above their side garage or by two storey extensions up to their side boundary. However, I do not have the details of those developments before me, including the planning history of the properties. The Council also indicate that the majority of first floor extensions built up to the side boundary along the street were built prior to the adoption of the Wokingham Borough Council Borough Design Guide Supplementary Planning Document June 2012 (BDG). This states that, for side extensions, a gap should be retained between the building and the site boundary and this should be a minimum of 1 metre. Consequently, I afford their presence limited weight and do not consider that they justify the unacceptable development proposed.
8. In conclusion, the proposal would cause harm to the character and appearance of the host property and the surrounding area. There would be conflict with Policies CP1 and CP3 of the Wokingham Borough Local Development Framework Adopted Core Strategy Development Plan Document January 2010 (CS) and Section 12 of the National Planning Policy Framework (the framework). These seek to ensure, among other things, that development proposals maintain or enhance the high quality of the environment and are of an appropriate scale of mass and built form and character of the area. Section 12 of the Framework seeks, among other things, to ensure that developments are sympathetic to local character and history including the surrounding built environment. The proposal would also conflict with Section 4 of the BDG which states that alterations and extensions to buildings should be well designed, respond positively to the original building and contribute positively to the local character.

Living conditions

9. There is a difference in ground levels between the appeal property and No 39, whereby the appeal property sits higher. The Council consider that the proposed side extension, by virtue of its gabled end design, close proximity to the side boundary and resulting increase in scale, bulk and mass would have an overbearing impact on the neighbouring property at No.39. However, the Council have not indicated from precisely where this harm would be experienced.

10. While the proposed side extension would be a dominant feature with regard to its effect on the host property and streetscene, it would not extend beyond the existing two storey rear wall of the appeal property and would be set back from its front elevation at first floor level. Consequently, even though it would be sited up against the boundary with No 39, it would not be visible from the rear windows of that property or directly visible from its forward facing front windows. As such, from within the areas served by these windows the proposed side extension would not have a detrimental effect on outlook in terms of creating an unacceptable sense of overbearing.
11. There are three first floor windows to the side of No 39. Two are obscure glazed and serve the bathroom. These windows are located at a point beyond the rear elevation of the appeal property. Due to the nature of the use of this room, the obscure glazing and the relationship of the windows to the appeal property, the proposed side extension would not result in a sense of overbearing when viewed from here. The third window is clear glazed and serves the landing/top of the stairs. While the proposed side extension would be visible from here, views would still be available beyond the rear elevation of the appeal property. Further, the window does not serve a principle living area and is essentially an area used for passing through. Consequently, the proposed side extension would not result in significant harm to the outlook enjoyed by the occupants of No 39 from this area.
12. As the appeal property sits forward of No 39, the proposed side extension would not project beyond the rear elevation of the neighbouring property. Given this relationship, the open aspect to the rear garden currently enjoyed by the occupants of No 39 would be retained. Further, due to the staggered nature of the building line, the proposed side extension would be most prominent when viewed from the front garden of No 39. However, given the large rear garden and the lack of privacy afforded to front of the property, it is unlikely to be used as an area in which the occupants would relax. As such, it is only likely to be used when entering or leaving the dwelling. Consequently, while the proposed side extension would appear dominant from this area, it would not have a significant effect on the living conditions for the occupants of No 39.
13. In conclusion, the proposal would not result in harm to the living conditions for the occupants of No 39, with particular regard to outlook. There would be no conflict with Policies CP1 and CP3 of the CS, Section 12 of the Framework and Section 4 of the BDG. These seek, among other things, to ensure that development proposals maintain or enhance the high quality of the environment, do not result in detriment to the amenities of adjoining land users, including occupiers and their quality of life, have a high standard of amenity for existing occupiers and relate well to and consider the potential impact on neighbouring properties.

Other Matters

14. The proposal also includes a single storey rear extension. Given the location of this element and its design, form and scale I consider that it would be an acceptable addition and would not cause harm to the character and appearance of the host dwelling and the surrounding area or the living conditions for the occupants of neighbouring properties. I note from the Council's report that they share this assessment. However, this element is not divisible from the

overall scheme and therefore is not appropriate for a split decision. Moreover, this does not overcome the harm that has been identified in respect of the proposed side extension.

15. I have considered the appellant's comments that the proposal would provide much needed space for their family and that it would result in an attractive, safe, secure and functional home. The appellant also indicates that the proposal is part of a larger scheme for improving the appearance of the property. While I understand that the provision of additional accommodation is an important issue for the appellant, as is providing a safe, secure and functional home, it is principally a private benefit. With regard to the proposal improving the appearance of the property, I have already found that the proposed side extension would have a harmful effect on its character and appearance and that of the area. As such, I afford these matters limited weight and do not consider that they overcome the harm identified.
16. The proposal would not result in any significant increase for parking at the property or pressure on the local highway network, and I note that the Highways Officer did not object to the proposal. However, this would be a neutral factor which does not outweigh the harm that would be caused to the character and appearance of the host property and area.
17. The appellant also indicates that the Council did not work proactively in determining the application in accordance with Paragraph 38 of the Framework. The Council considered the scheme that was put before it as it was reasonable for it to do so.

Conclusion and Recommendation

18. For the reasons given above, I recommend that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Kenneth Stone

INSPECTOR