



Appeal Decision

Site visit made on 2 June 2020

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 June 2020

Appeal Ref: APP/X0360/D/20/3244781

25 Arbor Lane, Winnersh, Wokingham, RG41 5JE.

- 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 J Senior against the decision of Wokingham Borough Council.
 - The application Ref. 193049, dated 14 November 2019, was refused by notice dated 13 December 2019.
 - The development proposed is the erection of a detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached garage at 25 Arbor Lane, Winnersh, Wokingham, RG41 5JE in accordance with the terms of the application, Ref. 193049, dated 14 November 2019, and the plans submitted with it, subject to the conditions set out in the attached Schedule.

Main Issue

2. The main issue is the effect of the development proposed on the character and appearance of the area.

Reasons

Background

3. The appeal site contains a large detached single storey property which lies in a frontage of similar properties of varying designs which front Arbor Lane. The appeal site property is set back from the road, to which the site has access to, and much of the front garden is hard surfaced and used for car parking. It is proposed to build a single garage in the front garden.
4. The parties refer to a permission for a similar detached garage to the front of the neighbouring property No. 23, however, I noted at my site visit that this permission has not been implemented. I also note that the host property previously had a garage to the rear but permission was granted to demolish this and erect a single storey extension under ref. 191617.
5. My reading of the policies in the development plan referred to by the Council is that there is no objection in principle to the erection of a garage at this property within the settlement of Winnersh; the Council's objection is to what it regards as an exposed and prominent position of the site in the front garden and the effect on the street scene.

Effect on character and appearance

6. In assessing this issue I have had regard to the policies in the development plan as mentioned in the reason for refusal which, in summary, require all new development to maintain and enhance the high quality of the environment; be appropriate to the appearance of an area; and protect and enhance green infrastructure.
7. At my site visit I noted that the area around the appeal site has a verdant character with the properties generally being set back from the road with mature trees, shrubs and hedges along the frontage. This landscaping therefore prevails in the public realm rather than presence of the buildings. On the appeal site, there is a well maintained conifer hedge adjacent to the roadside ditch. The garage proposed is small in scale, low in height with a relatively low pitched roof and the conifer hedge would mostly screen the structure from views from the road. Thus, the visual impact of the garage in the street scene would be very limited. Although the presence of the natural feature of the conifer hedge cannot be guaranteed in the long term, I am satisfied that other vegetation along the frontage would limit the visual effect of the garage when viewed from Arbor Lane.
8. I note that the Borough's Design Guide indicates that 'garages should not be sited in front gardens' or placed in front of a building line and the proposal would conflict with this supplementary guidance. However, I can only afford such a blanket approach to design limited weight as it does not take account of the specific circumstances of a particular site. Moreover, the permission granted by the Council for a similar proposal in the front garden of the adjacent property indicates that this guidance should not be followed too slavishly.
9. I have taken into account the Council's reference to another appeal decision (APP/X0360/D/19/3239177) but in that case the Inspector found that that proposed garage would be an incongruous and intrusive feature which would harm the character of the area but I have not found similar adverse effects in this case.
10. Overall on this issue, I find that the proposal would not disrupt the feeling of spaciousness around the site or appear as an alien or intrusive feature in the street scene or harm green infrastructure. I therefore find no conflict with the provisions of Policies CP1 and CP3 in the Core Strategy or Policy CCO3 of the Managing Development Delivery Local Plan. This accord with the development plan is not outweighed by any other consideration and so the appeal should be allowed.
11. The Council recommends that 5 conditions be imposed which I will consider under the same numbering. No.1 regulates the implementation of the permission and No.2 specifies the plans that are approved. These are reasonable and necessary for clarity. No.3 is also necessary to ensure that the overall form of the new building is appropriate for the site in the interests of amenity and no. 4 is reasonable to ensure that adequate off-road parking is retained at the property in the interests of highway safety. The Council also recommends that a condition be imposed (No.5) to remove 'permitted development' rights and restrict any commercial or habitable use. However, it has not been demonstrated that there are exceptional circumstances present to justify such restrictions on a domestic garage and there is adequate parking

available for the property outside of the garage. I will therefore not impose this condition.

Conclusion

12. For the reasons given above I conclude that the appeal should be allowed.

David Murray

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) This permission is in respect of the submitted application plans and drawings numbered GP-1921-A-2 received by the local planning authority on 15/11/2019. The development shall be carried out in accordance with the approved details.
- 3) The materials to be used in the construction of the external surfaces of the building hereby permitted shall be of a similar appearance to those used in the existing building unless otherwise agreed in writing by the local planning authority.
- 4) The vehicle parking spaces as shown on the approved plans shall be permanently maintained and remain available for the parking of vehicles at all times.