
Appeal Decision

Site visit made on 11 August 2020

by S Shapland BSc (Hons) MSc CMILT MCIHT

an Inspector appointed by the Secretary of State

Decision date: 27 October 2020

Appeal Ref: APP/W0340/W/20/3247250

9 Bloomfieldhatch Lane, Grazeley, Reading RG7 1JW

- 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 Kevin Heath against the decision of West Berkshire Council.
 - The application Ref 19/02526/FUL, dated 9 October 2019, was refused by notice dated 17 December 2019.
 - The development proposed is two storey pitched roof extension to existing garage block and the conversion of the building to a new granny annexe.
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Decision

1. The appeal is allowed and planning permission is granted for two storey pitched roof extension to existing garage block and the conversion of the building to a new granny annexe at 9 Bloomfieldhatch Lane, Grazeley, Reading RG7 1JW in accordance with the terms of the application, Ref 19/02526/FUL, dated 9 October 2019, subject to the conditions set out in the appended schedule.

Main Issues

2. The main issues are:
 - Whether the proposal would constitute the creation of a separate dwelling, and if so whether this would be a suitable location for housing having regard to the development strategy for the area and accessibility to services and facilities;
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on highway safety.

Reasons

New dwelling

3. The appeal site comprises a detached two storey dwelling situated in a large plot with sizeable rear garden. A detached double bay hipped roof car port is located within this garden, which is accessed via a driveway which is located approximately to the south of the site. The appeal site is outside of the settlement boundary and is therefore within the open countryside.
4. The appeal proposal is for an extension to the existing car port in the rear garden. This would extend the south-west elevation to provide an L shaped annexe, with two dormers and two rooflights provided within the roof. The

proposal is for a granny annexe including several bedrooms, a small kitchen, lounge space and a garage.

5. In its statement of case the Council expresses concerns that the amount of accommodation space provided, alongside the facilities provided for day-to-day living, and the separation distance from the main dwelling means the proposal is tantamount to the creation of a new dwelling in the countryside. I do not agree.
6. Whilst the accommodation provided is generous within the annexe, the proposed lounge, kitchen and bathroom are more modest in size and are commensurate to the needs of a single occupier. The proposal is located approximately 20 metres from the main dwelling, however there are no physical boundaries between the two and the proposal does not include any separate outdoor space of its own. The annexe would share a joint access, driveway and parking area with the existing dwelling. Furthermore, the annexe would not have a separate address nor would it have a separate utility provision. This would, in my view, indicate that the proposal would remain ancillary to the main dwelling and would not become a separate residential dwelling.
7. I appreciate the Council's concerns that the scale of the proposal could result in the annexe building becoming a separate residential dwelling in the future. However, should this appeal be allowed a planning condition could be imposed which restricts this. I note that the Council considers that there could be difficulties in enforcing this condition. However, I see no reason why this condition is not capable of being enforced, and I can see no obvious reason why the Council would not be able to investigate and take any action with regard to any alleged breach of the condition.
8. I note that the West Berkshire Council House Extensions Supplementary Planning Guidance 2004 (SPG) states that large granny annexes capable of being made into separate dwellings will not normally be acceptable. However, that SPG is not specific on any space standards which would constitute a large annexe. In any event, as outlined above I am satisfied that in this instance an appropriately worded condition would ensure the annexe would not be used as a separate dwelling.
9. Accordingly, I find that the granny annexe would not constitute a separate dwelling. There would be no conflict with policies ADPP1, ADPP6, CS14 and CS19 of the West Berkshire Core Strategy (CS) and Policy C1 of the West Berkshire Housing Site Allocations Development Plan Document (DPD). Together these policies seek, amongst other things, set out the Council's spatial strategy and approach to accommodating new housing with a presumption against new residential development outside of settlement boundaries.
10. There would be no conflict with the SPG, which seeks amongst other things, that granny annexes do not become separate dwellings. The Council have made reference to the National Planning Policy Framework (the Framework) in their reason for refusal. Whilst I have not been directed to the specific area of conflict, the proposal would accord with the aims of the Framework to achieve sustainable development.

Character and appearance

11. The Council have raised concerns that the proposal would not be subservient to the host dwelling, given the size of the proposed extension. Whilst the resultant building would be somewhat sizeable, the proposal would retain a lower ridge height than the host dwelling, and its total footprint would be smaller than the existing dwelling on site. This would make certain that there would be a degree of subservience, and ensures the proposal would not visually compete with the host dwelling.
12. Furthermore, the building already exists as a car port in its current form, and has a visual presence within the garden space. The proposed materials would match that used in the current building. I am satisfied that the increase in size and proposed design would not harm the character and appearance of the area. I do not find that the spaciousness of the plot would be unduly harmed by the proposal, as the site would maintain a good degree of garden space and would not appear overly cramped or overdeveloped.
13. It was apparent from my site visit that the site is well screened by vegetation, and its location towards the rear of the plot means it would not be readily visible from either neighbouring properties or wider viewpoints. Consequently, I find that the proposal would not harm the character and appearance of the area. There is no conflict with policies C3 and C6 of the DPD. Together these policies seek, amongst other things, that development in the countryside is of a design that has regard to the character of the area, with no adverse impact on local rural character.
14. There would be no conflict with Quality Design -West Berkshire Supplementary Planning Document (SPD), which seeks amongst other things, that development is of a high quality design.
15. The Council's decision notice makes reference to CS policy CS6. I do not find this directly relevant to this main issue as it relate to the provision of affordable housing.

Highway safety

16. The proposed annexe would utilise the existing access which serves the dwelling. It was apparent during my site visit that the visibility from this access is somewhat constrained by the presence of tall hedgerows. However, as the proposal is for a granny annexe and not a separate dwelling, it is unlikely that there would be a significant intensification of this access. Furthermore, I note the comments from the Highway Authority who have confirmed that should the proposal remain ancillary to the main dwelling there would be no intensification of this access.
17. Consequently, I am satisfied that the proposal would not lead to an intensification of this access, and there would be no harm to highway safety. There is no conflict with policy CS13 of the CS which seeks, amongst other things, that development does not impact the local transport network.

Conditions

18. The Council has suggested a number of conditions, and it has been necessary to amend these for the purpose of clarity and precision. In addition to the standard time limit condition, I have imposed a condition requiring that the

development is carried out in accordance with the approved plans. This is for the avoidance of doubt and in the interest of certainty. A condition relating to materials is necessary to ensure that the appearance of the development would be satisfactory. I have imposed a condition that would ensure that the annexe remains ancillary to the main dwelling. This is necessary and reasonable to prevent the creation of a separate dwelling in the countryside.

Conclusions

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

S Shapland

INSPECTOR

SCHEDULE OF CONDITIONS – APP/W0340/W/20/3247250

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, MC/1613/03 Rev A Existing Elevations dated 9 May 2013, Existing Block Plan 1:500, MC/1613/01 Rev B Floor Layouts dated 09 May 2019, Proposed Block Plan 1:500, MC/1613/03 Rev A Proposed Elevations
- 3) The materials to be used in the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) The extension and annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 9 Bloomfieldhatch Lane