



Appeal Decision

Site visit made on 24 November 2020

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 December 2020

Appeal Ref: APP/E0345/D/20/3255866

12 Lower Armour Road, Tilehurst, Reading, RG31 6HH

- 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 Mrs Sofie Cooper against the decision of Reading Borough Council.
 - The application Ref 200388 dated 9 March 2020, was refused by notice dated 5 June 2020.
 - The development proposed is rear first floor extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a rear first floor extension at 12 Lower Armour Road, Tilehurst, Reading, RG31 6HH in accordance with the terms of the application ref: 200388, dated 5 June 2020, subject to the following conditions:
 - 1) The development to which this permission relates shall be begun within a period of three years commencing on the date of this decision;
 - 2) The development hereby approved shall be carried out in accordance with the following approved plans: combined plans (dwg. no. GP/1719/A-6);
 - 3) The external materials for the rear extension shall match that of the existing dwelling or be undertaken with the details specified on the approved plans only. Any alteration to the approved materials will require submission to, and approval in writing from, the Local Planning Authority prior to use.

Main Issues

2. The main issue is the impact of the proposal upon the living environment of 1 Andover Close with regard to loss of privacy, visual dominance and overbearing effects.

Reasons

3. The appeal site is a three-storey semi-detached dwelling understood to have been created following conversion of a former Public House. Both the appeal site, and its adjoining neighbour at no. 14, have been previously extended to the rear. The proposal is for a first-floor rear extension.
4. From the Council's delegated report and appraisal I understand this proposal is a revised scheme following a previous refusal and subsequent dismissal at appeal. I do not have the previous scheme or decisions before me but note it is stated that the current proposal is approximately 0.8m shorter in depth, the amended roof design is considered an improvement and that the extension is

generally sufficient in design and proportion (in terms of character and appearance). It is also stated to have a different arrangement of fenestration to the rear elevation compared to the previous scheme.

5. At the time of my site visit I noted that 1 Andover Close is located relatively close to the shared boundary with the appeal site. The Council's report states that 1 Andover Close only benefits from a short rear garden and this would be consistent with what I saw on site. The property is, however, orientated at 90-degrees from the appeal site as discussed below.
6. It is noted that there may be views from the existing landing window (if stood right up against it) into the rear of 1 Andover Close, and its garden, but I do not find the appeal proposal would make this any worse in order to warrant refusal on the grounds of loss of privacy. I find that the appeal proposal does not propose any windows closer to the boundary with 1 Andover Close than is currently the case. The proposal would bring the window forward by around 2.25m and the orientation of the appeal site is such that it is at 90-degrees with 1 Andover Close. I do not find that, with natural use of the window, that the proposal would intrude on privacy any more than is the case with the appeal site as it stands without the proposal.
7. The Inspector's comment, in the previous appeal, which is quoted by the Council alludes to additional windows in the previous proposal which are likely to have been to the left of (when facing) the rear elevation. The comment relates to views from windows at very close quarters. I do not find this is the case with the proposal before me for the reasons outlined above.
8. The proposals height and bulk appears, from the comments before me, to have been reduced. It does not project past the existing side elevation and slopes up, away, from the boundary with 1 Andover Close. It is set back from the building line of the existing ground floor extension and is similar to the scale and design of that on the adjoining property. I stood against the solid boundary fence as part of my site visit and I do not find that it would be perceived as dominating or overbearing when viewed from the rear of 1 Andover Close taking into account the existing, and adjoining, property.
9. I acknowledge that Reading Borough Local Plan 2019 (LP) Policy CC8 states a back to back distance of 20 metres, however, the existing window and properties already breach this and I find that a reference to back to back distance is indicative of facing windows to reduce overlooking. This is not the case for the appeal site given the orientation at 90-degrees to 1 Andover Close. Furthermore, the policy goes on to acknowledge that the circumstances on individual sites may enable dwellings to be closer without a detrimental effect upon privacy. I find this is the case for the appeal proposal for the reasons outlined.
10. The proposal would be consistent with LP Policy CC8 which seeks to ensure development will not cause a detrimental impact on the living conditions of existing residential properties in terms of privacy, overlooking, visual dominance and overbearing effects.
11. Whilst the Council's refusal reason does not refer to LP Policy H9 it is discussed within the delegated report. For the avoidance of doubt I also find the proposal would be consistent with LP Policy H9 which seeks to ensure an extension does not present an overbearing impact upon neighbours.

12. The Council's Supplementary Planning Guidance – A Design Guide to House Extensions 2003 (SPG) states that a basic way to safeguard outlook is to avoid extensions which breach the 45-degree code but the guidance is generally geared to adjacent dwellings with the same orientation in relation to rear extensions. This is not directly applicable to the appeal site layout so it falls to assess the overall objectives of the SPG and apply them to the proposal as appropriate. The commentary makes reference to a consideration of orientation, proposed height and roof design but ultimately it seeks to ensure compliance with relevant policy criteria.
13. The 45-degree code may well be breached, but it would be breached by the existing dwelling and, overall, I find the proposal is consistent with the SPG objective to safeguard outlook and protect light reaching main rooms and ensure that rear extensions are as far away from side boundaries as possible.

Conditions

14. The Council has not suggested any conditions. A condition requiring the development to be in accordance with the approved plans is required in order to control and define the development which is granted consent. A time condition is attached to comply with section 51 of the Planning and Compulsory Purchase Act 2004. In order to ensure a satisfactory appearance, I have attached a condition requiring materials for the external elevations to match that of the existing dwelling or be in accordance with the approved plans only.

Conclusion

15. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR