



Appeal Decision

Site visit made on 5 January 2021 by Scott Britnell MSc FdA MRTPI

Decision by R C Kirby BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 January 2021

Appeal Ref: APP/X0360/D/20/3260151
66 Mannock Way, Woodley RG5 4XW

- 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 Ian Gordon against the decision of Wokingham Borough Council.
 - The application Ref 201216, dated 15 May 2020, was refused by notice dated 7 July 2020.
 - The development proposed is first floor side extension, infill porch and part garage conversion.
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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.

Procedural Matters

3. The planning application was made by Mr and Mrs Gordon while the appeal has been submitted by Mr Ian Gordon. It is reasonable to consider Mr Ian Gordon to be one of the applicants and so is eligible to make this appeal.
4. The Council's second refusal reason states that the block plan does not accurately show the distance from the appeal dwelling to the boundary with No 11 Cody Close, however it appears that it was able to assess the proposal on this basis when it made its decision. Notwithstanding the dispute between the parties in relation to this matter, I have observed the relationship between the two properties and formed my conclusions based on those observations. I do not, therefore, consider this to be a determinative issue in this appeal.

Main Issue

5. The Council do not object to the proposed porch and subdivision of the garage. Having assessed this matter, these elements are acceptable in terms of their effect on the character and appearance of the host property and the wider area, the living conditions of the occupants of neighbouring dwellings and highway safety.

6. The main issue in this appeal, therefore, is the effect of the proposed first floor side extension on the living conditions of the occupants of No 11 Cody Close, with particular regard to outlook and light.

Reasons for the Recommendation

7. The appeal property is set back from the frontage of No 11 and the proposed first floor extension would extend beyond the rear elevation of this property.
8. The proposed first floor side extension would significantly increase the eaves height of this part of the host dwelling, in close proximity to the party boundary with No 11, as well as its overall height and massing. As a result, it would appear overly dominant and overbearing when viewed from the modestly sized rear garden and the rear facing windows and doors of No 11 closest to the appeal site, having a significant enclosing effect on these areas, particularly when taken with the garage to the rear. This would make these areas less pleasant to use as a result and would unacceptably harm the living conditions of the occupants of this dwelling.
9. The appeal dwelling sits to the south/south east of No 11 with the rear of both properties facing an easterly direction. Although the proposal would increase the bulk of the host dwelling close to the boundary with No 11, it is unlikely that it would result in a loss of light or overshadowing over and above the existing situation. Accordingly, in this regard and in the absence of substantive evidence to demonstrate otherwise, I find that the proposal would not affect light to No 11 to the degree that would be harmful to its occupants' living conditions.
10. The appellant refers to a number of nearby dwellings where he states that the Council has approved similar developments to the appeal proposal. However, I do not have the full details of those developments before me including a copy of any planning permissions. Further, on the evidence before me and from my own observations, these dwellings do not appear to share the same relationship with neighbouring properties as the appeal dwelling does to No 11. Moreover, each case must be considered on its own merits. Consequently, I afford this matter limited weight in my assessment of the appeal proposal.
11. Given my findings, I conclude that the proposed first floor extension would result in harm to the living conditions of the occupants of No 11, in terms of loss of outlook. There would be conflict with Policy CP3 of the Wokingham Borough Local Development Framework Adopted Core Strategy Development Plan Document January 2010. This indicates, among other things, that planning permission will be granted for proposals that are not detrimental to the amenities of adjoining occupiers and their quality of life. There would also be conflict with Policy R23 of the Wokingham Borough Council Borough Design Guide Supplementary Planning Document June 2012, which states that alterations and extensions to buildings should relate well to neighbouring properties.

Other Matters

12. The appellant points out that the Parish Council had no objections to the planning application. The Council have provided a copy of the comments received from Woodley Town Council which indicate that they had no objection to the proposal but point out that the garage would no longer be large enough

to house a car. In the absence of comments from any Parish Council, it is reasonable to consider that these are the comments that the appellant is referring to. However, the absence of an objection from the Town Council is a neutral factor in my assessment of the proposal. The harm that I have identified would be present notwithstanding these comments.

13. I note that the appellant is aggrieved with how the Council considered his application, however this is a matter that should be taken up directly with the Council in the first instance. It is not a matter for this appeal.

Conclusion

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

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

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

RC Kirby

INSPECTOR