
Appeal Decision

Site visit made on 15 October 2020

by S Shapland BSc (Hons) MSc CMILT MCIHT

an Inspector appointed by the Secretary of State

Decision date: 29 January 2021

Appeal Ref: APP/W0340/W/20/3250812

Oakdene, Andover Drove, Wash Water, Newbury RG20 0LZ

- 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 M Bingham against the decision of West Berkshire Council.
 - The application Ref 20/00169/FULD, dated 23 January 2020, was refused by notice dated 23 March 2020.
 - The development proposed is proposed new two storey pitched roof dwelling in the garden of Oakdene, Andover Drove. Demolition of existing garage and extension of existing driveway at Oakdene.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the:
 - Character and appearance of the area; and
 - Living conditions of neighbouring occupiers of Enfin, with particular regard to outlook, loss of sunlight and their privacy.

Reasons

Character and appearance

3. The appeal site comprises a corner plot located at the junction of Wash Water and Andover Drove. The appeal proposal would divide the existing residential plot known as Oakdene to provide a dwelling within the side garden, approximately north of the existing dwelling.
4. It was evident from my site visit that the immediate area is characterised by large dwellings located in substantial expansive plots. There is a mixture of both detached and semi-detached dwellings of a varied design and roof type. The area is verdant, with large amounts of mature vegetation forming the boundaries of properties on Andover Drove. There are wide grass verges along the edge of the public highway which further reinforces the verdant nature of the immediate environs of the appeal site.
5. The appeal proposal would subdivide the appeal site, and introduce a new dwelling which would be in close proximity to both Oakdene and the neighbouring property of Stone Lodge. The dwelling would be located in a somewhat narrow plot, and would result in a minimal separation distance

between the neighbouring properties. The distance to the boundary with Oakdene would appear to be especially small. This would result in a development which appears cramped within the plot, and is not in keeping with the character and appearance of the larger more spacious plots surrounding the appeal site.

6. I note the appellants comments that towards the north of the appeal site, including dwellings on Woodfield Close and Oakridge, there are a number of dwellings which sit within smaller plots. These have much reduced separation distances between them. As such, they contend that the appeal proposal would be in keeping with the character and appearance of these properties. I observed these dwellings during my site visit, and whilst these properties are grouped much closer together than other dwellings around the appeal site, I do not find these examples are directly comparable to the appeal site.
7. Both Oakridge and Woodfield Close appears to be backland development, and are set back a fair distance from Andover Drove. Furthermore, they are served off individual cul-de-sacs and do not front a through road like the appeal site. As such, they have a clear character and identity which differs to the larger more spacious plots on Andover Drove. In any event, all applications and appeals must be determined on their own merits.
8. Accordingly, the proposal would harm the character and appearance of the area. There is conflict with policies ADPP1, CS14, CS18 and CS19 of the West Berkshire Core Strategy (CS). These policies seek, amongst other things, that development is of a high quality design which respects and enhances the character and appearance of the area.

Living conditions

9. The Council have raised concerns that given the close proximity of the proposed dwelling to the neighbouring dwelling known as Enfin the proposal would result in an unacceptable overbearing impact. Furthermore, they are concerned this would reduce the available sunlight to this neighbouring property.
10. No objective analysis has been provided by the Council to demonstrate the likely loss of sunlight which may occur within this neighbouring dwelling. Furthermore, I am satisfied that the separation distance is of an appropriate distance to ensure that the proposed dwelling would not feel dominate nor overbearing to the occupiers of Enfin.
11. The proposed windows on the first floor rear elevation would serve bathrooms and the landing. I am satisfied that a planning condition could be provided to ensure these windows were obscure glazed. This would ensure that the proposal would not harm the privacy of the neighbouring occupiers.
12. Consequently, the proposal would not harm the living conditions of occupiers of Enfin. As such there is no conflict with policy CS14 of the CS, nor the advice within the National Planning Policy Framework. Together these policies seek, amongst other things, that development is of a high quality design that makes a positive contribution to quality of life.

Conclusions

13. Whilst I have found that the proposal would not harm the living conditions of the neighbouring occupiers of Enfin, I have found that the proposal would significantly harm the character and appearance of the area. For the reasons given above, the appeal is dismissed.

S Shapland

INSPECTOR