



Appeal Decision

Site visit made on 15 February 2021

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th February 2021

Appeal Ref: APP/R0335/D/20/3262174

29 Essex Rise, Warfield, Bracknell RG42 3XG

- 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 Lewis against the decision of Bracknell Forest Borough Council.
 - The application Ref 20/00548/FUL, dated 16 July 2020, was refused by notice dated 15 October 2020.
 - The development proposed is roof extension above garage to provide habitable accommodation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of occupiers of 17 Westmorland Drive, with particular regard to the potential to appear overbearing, daylight and sunlight.

Reasons

3. Number 29 Essex Rise (No 29) is a two-storey house with a single-storey double garage and car port which projects forward of the main front elevation. This is positioned along the rear garden boundary of Number 17 Westmorland Drive (No 17) to the north. The garage has a pitched roof, visible above the boundary fence, from which it is set in by approximately 1 metre.
4. The proposal would add a first floor extension with a pitched roof above the existing garage. There is some dispute between the parties regarding the height to the eaves of the proposed extension. However, the drawings indicate that the eaves height would be raised by more than half their current height. The overall height of the extension would be around 5.4 metres.
5. The rear garden to No 17 is a modest size with a depth indicated to be around 11.5 metres. It is also stepped down so part of it is at a lower level than No 29. In this context, the increased height of the proposed extension, even though retaining a modest eaves height and being set in from the boundary, would make it appear visually dominant and intrusive when viewed from the garden. This would be both overbearing and oppressive for these neighbouring occupants. It would also increase the sense of enclosure of this garden.

6. The increase in height of the building would be sufficiently far from windows in the rear elevation of No 17 to not affect the amount of daylight or sunlight received via these windows. Due to its overall height it would also be unlikely to affect daylight to the garden. However, due to the position of the proposed development directly south of the garden to No 17, the increase in height of this building could potentially impact on sunlight. In the absence of firm evidence that the garden would not be unduly overshadowed as a result of the proposal, I am not satisfied that no harm would arise in this respect.
7. I conclude that the proposed development would harm the living conditions of occupiers of No 17, with particular regard to its overbearing impact and loss of sunlight. It would therefore conflict with Saved Policy EN20 of the Bracknell Forest Borough Local Plan 2002, Policy CS7 of the Core Strategy Development Plan Document 2008 and the National Planning Policy Framework. These policies together require a high quality design that does not adversely affect the amenity of surrounding properties. It would also not accord with the guidance set out in the Council's Design Supplementary Planning Document 2017 which sets out new development should not be unduly overbearing.

Conclusion

8. For the reasons set out above, I conclude the appeal should be dismissed.

Rachael Pipkin

INSPECTOR