
Appeal Decision

Site visit made on 23 February 2021

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 march 2021

Appeal Ref: APP/W0340/W/20/3258447

Land adjacent to 11 Turnfields, Berkshire RG19 4PT

- 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 Cooper Barnes against the decision of West Berkshire Council.
 - The application Ref 20/00999/FULD, dated 27 April 2020, was refused by notice dated 25 June 2020.
 - The development proposed is construction of a one-bedroom single storey dwelling and associated parking.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues of the appeal are:
 - Whether the proposed development would provide appropriate living conditions for future occupiers of the proposed dwelling, with particular regard to privacy;
 - The effect of the proposed development on highway safety;
 - The effect of the proposed development on the character and appearance of the area; and
 - The effect of the proposed development on the living conditions of the occupiers of nearby properties, with particular regard to outlook.

Reasons

Living Conditions of Future Occupiers

3. There is only one small first floor window on the side elevation of 11 Turnfields facing the appeal site. Given its position in line with the side elevation of the proposed dwelling and as this is fitted with obscure glazing there would be little overlooking from it. Notwithstanding this, there would be several large first floor windows at the properties the other side of the plot orientated directly towards the site. Those at 102 The Mooors would have direct views at a short distance into the main garden area of the proposed property. This would significantly limit the levels of privacy that would be afforded to the occupiers of the dwelling.

4. Therefore, the proposed development would not provide appropriate living conditions for future occupiers with regard to privacy. It would be contrary to Policy CS14 of the West Berkshire Core Strategy (CS) where it requires new development to make a positive contribution to quality of life. It would also fail to accord with the Quality Design - West Berkshire Supplementary Planning Document (SPD) where it states at the rear of a dwelling the expectation of the resident will be that they should experience a high level of privacy. Moreover, the scheme would be contrary to the National Planning Policy Framework (Framework) where it seeks to create places that provide a high standard of amenity for future users.
5. As the scheme relates to a new dwelling, the House Extensions SPG weighs neither for nor against the scheme.

Highway Safety

6. The 2 off-street parking spaces proposed would exceed the number required in the HSA¹. The location of the spaces to the front of the property would be a similar arrangement to the terrace of properties adjacent to the site, although I am not aware of the circumstances that led to these other parking areas being permitted.
7. My observations on site were that there would be limited space to the front of the proposed parking spaces to manoeuvre. On the basis of the evidence before me and in the absence of tracking for vehicle movements to demonstrate otherwise, there would be insufficient room for vehicles to easily manoeuvre in and out of the spaces. This would mean repeated movements would be needed to use them or that parking would take place on the road instead. This would be likely to result in conflicts with other road users where there is no street lighting or designated pedestrian footway at the site and limited space.
8. Consequently, the proposed development would be harmful to highway safety. The scheme would be contrary to Policy CS13 of the CS and Policy P1 of the HSA where they, in part, require developments to provide appropriate parking provision as well as promoting and improving safe travel.

Character and Appearance

9. The area is characterised by semi-detached and terrace properties. However, there are some examples of detached properties, including at 102 The Moors adjacent to the site. As such, a detached building would not appear alien to the locality.
10. Having the gable facing the road would contrast with the terrace adjacent to the site. Notwithstanding this, the dwellings beyond the site are orientated differently. There are no bungalows in the vicinity of the site at present and the proposed dwelling would be lower than the adjacent ones. Nevertheless, there is variation in the scale and appearance of the built form, including ridge heights and roof form. The new dwelling would follow the building line and given its height the proposed property would not be dominant or distracting in the streetscene. The openings on the front elevation would result in the building being read as a dwelling rather than an ancillary building.

¹ West Berkshire District Council Housing Site Allocations Development Plan Document

11. Although there is some use of other materials, brick is the predominant material for properties near the site, including those adjacent to it. As such, the proposed render walls would jar with the appearance of the properties the dwelling would be seen with. However, were the appeal to be allowed a condition could be imposed to require agreement of the external materials.
12. Therefore, the proposed development would not be harmful to the character and appearance of the area. The scheme would accord with Policies CS14 and CS19 of the CS where they require new development to respect and enhance the character and appearance of the area and ensuring design and scale is appropriate. Furthermore, it would comply with the SPD where it requires development to respect the physical massing of the area. Finally, it would comply with the Framework where it requires development to be sympathetic to local character.

Living Conditions of Nearby Occupiers

13. The land falls away from the site towards the maisonettes and detached property beyond the appeal site. Nonetheless, the proposed dwelling would be single storey and have the roof sloping away from these properties. Moreover, the windows in these properties are large and offer a wide outlook. The first-floor windows would give an outlook over the proposed dwelling, while the ground floor windows have views directed towards the existing boundary treatments already. Furthermore, the proposed dwelling would be of a similar depth to 11 Turnfields.
14. The proposed dwelling would be clearly visible from the neighbouring properties and a relatively short distance from it. Nevertheless, the proposed dwelling would not be imposing or overbearing from them.
15. As a result, the proposed development would not unacceptably harm the living conditions of the occupiers of nearby properties with regard to outlook. It would accord with Policy CS14 of the CS where it requires new development to make a positive contribution to the quality of life. In addition, it would also accord with the SPD where it states residents should not have an unduly restricted outlook. The scheme would also accord with the Framework where it seeks to create places that provide a high standard of amenity for existing users.
16. As the scheme relates to a new dwelling, the House Extensions SPG weighs neither for nor against the scheme.

Other Matters

17. The proposal has been amended from that subject to the previous appeal² at the site in an attempt to overcome the reasons for dismissal. However, I have found that harm would arise from the scheme before me and assessed it on its own merits.
18. The proposal would accord with the aim of the Framework to significantly boost the supply of housing. However, being for a single dwelling, the contribution would be small. For the same reason benefits arising from the construction period and future spend of occupants giving support to local services and facilities and energy efficiency would be minor. Even if I were to agree that the

² APP/W0340/W/16/3152685

proposal makes a more efficient use of the land, this does not outweigh my findings on the main issues.

19. That the refusal reasons do not relate to the principle of the development in this location, infrastructure or accessibility to services and facilities is a neutral effect and does not weigh in favour of the scheme.

Conclusion

20. For the above reasons, and having considered all matters raised, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR