
Appeal Decision

Site visit made on 30 November 2021

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th December 2021

Appeal Ref: APP/X0360/D/21/3279133

48 Pigott Road, Wokingham RG40 1PY

- 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 Ms Nicola Cambridge against the decision of Wokingham Borough Council.
 - The application Ref 211002, dated 22 March 2021, was refused by notice dated 20 May 2021.
 - The development proposed is a first floor extension above the garage and kitchen dinner area.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor extension above the garage and kitchen dinner area in accordance with the terms of the application Ref 211002, dated 22 March 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Site Plan, Existing Ground Floor Layout, Existing First Floor Layout, Existing Roof Layout, Existing Elevations, Proposed Ground Floor Layout, Proposed First Floor Layout, Proposed Roof Layout and Proposed Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Procedural matter

2. A new version of the National Planning Policy Framework was published on 20 July 2021, after the date the appeal was submitted. The revised Framework does not significantly alter my assessments in this appeal. I am satisfied that no parties have been prejudiced by my having regard to this change in national policy.

Main issues

3. The main issues are the effects of the proposal on:
 - i) the character and appearance of the local area;
 - ii) living conditions at the neighbouring property 46 Pigott Road in terms of the impact on outlook; and
 - iii) biodiversity in terms of the potential impact on bats.

Reasons

Character and appearance

4. Pigott Road is characterised by pairs of semi-detached houses linked by single storey flat roofed garages. The visual gaps at first floor level formed by the garages provide views of the sky, helping to bring a sense of spaciousness to the layout. Nos 48 and 46 are linked in this way and No 48 also has a small flat roofed extension behind its side garage. The proposal would build a pitched roof extension over this side element, with a flat roofed section at the back.
5. The Council's Supplementary Planning Document *Borough Design Guide* (BDG) says that gaps along the street frontage are often important to the character of the area. It advises that side extensions should be set back at least 1m behind the building line and set in at least 1m from the side boundary, preferably with a lower roof line. The proposal would be set back by 1m and set down from the main ridge of the house, in line with the BDG's guidance. It would, however, conflict with the BDG in that it would extend right up to the side boundary.
6. Despite this conflict with the guidance, a significant visual gap would be retained at first floor and roof levels between the 2 houses, above the flat roofed garage of No 46. No important views would be blocked and the set-back of the extension would mean that the extension would be a somewhat recessive feature in the street scene, avoiding any significant visual disruption to the rhythm of development on the street. The extension would be an appropriately subsidiary feature which would fit in with the design of the house.
7. I saw no similar first floor side extensions on Pigott Road, but there are a few on nearby Whaley Road which do not appear to cause any undue harm to the openness and character of the area. The Council's concerns about the potential for a matching extension at No 46 to close the gap entirely would be a matter for the Council to consider if and when such an application was submitted.
8. I conclude that the proposal would not significantly affect or harm the character and appearance of the area. It therefore accords with the aims of Core Strategy Policies CP1 and CP3 and the BDG, to secure high quality design that is appropriate to the character of the area.

Living conditions

9. The rear element of the proposal would create an upper floor projection beyond the line of the main rear wall of No 46 next door, next to that property's garage. The Council's concern is that the extended structure would be overbearing on the outlook from the garden of No 46. The proposed projection would not, however, be very deep and it would have a flat roof to help minimise its impact. No 46 has a reasonably wide and spacious plot. It has amenity space immediately to the rear of the living accommodation, set far enough away from the proposed extension that it would be little affected.

10. I conclude that the proposal would not be unduly overbearing, intrusive or dominant on the outlook from No 46. It therefore also accords in this respect with the aims of Core Strategy Policy CP3 and the BDG, to avoid detriment to the amenities of adjoining land users.

Biodiversity

11. As recorded in the Planning Practice Guidance (PPG), Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on decision makers to have regard to the purpose of conserving biodiversity. Bats are protected species and can often be affected by development. A bat report submitted with the application found that low suitability roosting features for bats would be affected by the proposal. As the main side wall affected is a brick wall and the proposal would not affect the main roof spaces, the only feature potentially impinged on by the development would be gaps under the mortar embedding the edge roof tiles on the rear roof slope of the gable end. A nocturnal emergence survey was recommended on this basis.
12. That emergence survey was not carried out at the time of the Council's decision, but a further report was submitted with the appeal. It found no bats emerging from the building on the evening of the survey. The householder appeal process does not, however, provide any opportunity for the Council to comment on the survey methods and results. I can therefore give only very limited weight to this extra bat report.
13. The area of potential impact is so limited in scale and scope, however, that the potential for bats to use the affected part of the house must be quite low in any case. The PPG also advises that biodiversity assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity. In this case, I am satisfied that there is such a low potential for bats here that this small scale scheme should not be prevented from going forward. To the extent that I can consider the emergence survey results, these do help to confirm this view.
14. I conclude that the proposal would be very unlikely to harm bats or any other important aspect of biodiversity. The proposal therefore accords with the aim of Core Strategy Policy CP7, to avoid harm to habitats or species of principal nature conservation importance. It should be noted that the legal protections for bats under the Wildlife and Countryside Act 1981 and other legislation continue to apply.

Conditions

15. I impose a condition specifying the relevant plans to provide certainty. A condition requiring the use of matching materials is also necessary to protect the character and appearance of the house and the local area.

Conclusion

16. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR