



Appeal Decision

Site visit made on 21 March 2022

by Rebecca Thomas MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 May 2022

Appeal Ref: APP/X0360/D/21/3289239

18 Pound Lane, Sonning, Reading, Berkshire RG4 6XE

- 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 S Bhardwaj against the decision of Wokingham Borough Council.
 - The application Ref 213122 dated 16 September 2021, was refused by notice dated 8 December 2021.
 - The development is the proposed erection of a two storey rear/side extension with 3 no. Juliet balconies and 1 no. roof light to the rear elevation, erection of a single storey side extension to form orangery with 1 no. roof light, insertion of 2 no. roof lights to the front elevation.
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Decision

1. The appeal is dismissed insofar as it relates to the proposed erection of a two storey rear/side extension with 3 no. Juliet balconies and 1 no. roof light to the rear elevation and insertion of 2 no. roof lights to the front elevation. The appeal is allowed insofar as it relates to the erection of a single storey side extension to form orangery with 1 no. roof light at 18 Pound Lane, Sonning, Reading, Berkshire RG4 6XE in accordance with the terms of the application, Ref 213122, dated 16 September 2021, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 1) Unless varied by other conditions of this decision, the development hereby permitted, insofar as it relates to the single storey side extension to form orangery with 1 no. roof light, shall be carried out in accordance with the following approved plans: BPL211 B: Existing and Proposed Floor and Elevation Plans; Location Plan and Site Plan.
 - 2) The materials to be used in the construction of the external surfaces of the single storey side extension hereby permitted shall match those used in the existing building.

Application for costs

2. An application for costs was made by Mr Sanjeev Bhardwaj against Wokingham Borough Council. This application is the subject of a separate decision.

Procedural Matters

3. The description of development in the heading above has been taken from the Council's decision notice. However, in Part E of the appeal form it is stated that the description of development has not changed from that stated on the planning form. Notwithstanding this, I have used the description as used on the Council's decision notice as this more accurately describes the proposal as shown on the plans and I have considered the appeal on this basis.
4. For the reasons that follow, I find the proposed single storey side extension to form orangery with 1 no. roof light to be acceptable and it is clearly severable both physically and functionally from the two storey side/rear extensions. Therefore, I intend to issue a split decision in this case and grant planning permission for the orangery.

Main Issues

5. Having considered all of the evidence before me, I consider the main issues in this appeal to be:
 - i. Whether the proposal would preserve or enhance the character or appearance of the Sonning Conservation Area and;
 - ii. the impact of the proposed development on the amenity of the occupiers of no. 20 Pound Lane with particular regard to outlook.

Reasons

Character and appearance

6. The area is characterised by dwellings set back from the road with vegetation and trees creating a sense of a privacy afforded to dwellings, which are varied in design and appearance and age, with a number of alterations apparent. The appeal site is a detached Arts and Crafts style dwelling set back from Pound Lane with a detached garage to the side. The dwelling is characterised by its white painted brickwork, a hipped clay tile roof with an eyebrow dormer window to the front. There are hipped dormer windows to the side and rear roof space. No. 20 adjacent is an Arts and Crafts dwelling with original features similar to the appeal site, orientated with its gable facing the road. The appeal site is orientated at an angle to the road, with its main roofslope and characteristic eyebrow dormer window facing the road. The neighbour to the other side, no. 16, is a modern dwelling with red brick and tiles in contrast to the appeal site and is set slightly forward of the appeal site.
7. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that, in the exercise of the statutory duty, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
8. The proposed side extension to provide the orangery and study would not project beyond the main front building line of the house and would remain single storey. Given the angle of the proposed extension, this would only be glimpsed from the street and would not result in a significant impact to the existing character and appearance of the original dwelling. The Council also confirms in its officer's report that this element would not be overly visible from the public realm. I find that this would be an appropriate addition to the house

that would not harm the character and appearance of the area, nor that of the CA.

9. Turning to the remainder, the development would introduce an extension to the roof by way of a triple gabled rear extension and extended hipped gable to the sides. The existing hipped gabled roof would be extended to the sides, introducing elements to the existing rooflines which are close to the height of the original ridgeline. This introduction would provide a hipped gable reminiscent of the original and would be set back from the main frontage, however, would introduce a dominant and bulky addition to the original that would be out of proportion and prominent as seen from the street. The scale of the development as seen in context of the original would be disproportionate to the original and as such would cause harm to its character and appearance.
10. The appellant has provided plans showing that the development is similar to the neighbour at no. 20, however this dwelling is orientated differently with its gables facing the street, and the extent of the extensions are experienced differently as seen from the street, resulting in a different understanding of that dwelling. Whilst it may be set back further from the Pound Land frontage to no. 20, the appeal development would be seen with its main elevation facing the street, and the proposed extensions located either side of the original. Given the extent of the proposed extensions and the additions to both sides of the existing dwelling, this would appear to dwarf the original building, being dominant to its scale and a jarring element compared to the shape of the existing building, thus causing harm to its appearance. The fact that apparently similar development has been granted permission is not a reason, on its own, to allow unacceptable development. I have considered this appeal on its own merits and concluded that it would cause harm for the reasons set out above.
11. The rear of the dwelling would be extended across the width of the dwelling, providing a triple gable feature, resulting in the loss of the two existing dormer windows to the rear. Although the proposed extension would sit just below the existing ridgeline of the dwelling, the introduction of the three large gable features, combined with the loss of the dormer features, would result in a loss to the original character of the dwelling, being dominant and a significant departure from the original appearance. I am able to see that the neighbouring property retains dormer windows and a proportion of the original roof and elements. Whilst the rear element of the proposal cannot be easily seen from the street, its original appearance and features would be lost. This, in combination with the harm as a result of the scale of the extensions would further erode the overall Arts and Crafts character and appearance of the dwelling and its contribution to the CA.
12. Whilst I acknowledge that the proposal has regard to the hip detailing of the original dwelling, together with sympathetic and matching materials, this does not overcome the harm identified above. I have had regard to the variety of size, age and appearance of dwellings in the local area, however the appeal site has distinctive Arts and Crafts features which contribute to the character and appearance of the CA. Notwithstanding the variety in vernacular and the extensions to the neighbour and other properties, this is not a reason, on its own, to allow unacceptable development. I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.

13. I therefore find that the proposal would fail to preserve or enhance the character or appearance of the CA and its significance as a designated heritage asset. I consider that the harm to the CA would be localised, and in respect of the significance of the designated heritage asset as a whole, less than substantial harm would result. Paragraph 202 of the National Planning Policy Framework (The Framework) requires that such harm is weighed against the public benefits of the proposal.
14. The appellant states that the proposals would provide a more up to date living environment for the family. In addition, the appellant would like to enhance the accommodation to suit their family requirements. However, I am mindful of the advice contained in the Planning Practice Guidance¹ that in general planning is concerned with land use in the public interest. It is also probable that the proposed development would remain long after the current personal circumstances cease to be relevant and that the harm is not outweighed by the appellants' particular circumstances. Consequently, I find that there are no public benefits that would outweigh the harm that would be caused to the significance of the CA as a designated heritage asset.
15. Accordingly, I conclude that the proposal would cause harm to the character and appearance of the host dwelling and would fail to preserve or enhance the character or appearance of the CA. There would be conflict with Policy CP3 of the Core Strategy², which expects that (amongst other things) development should be of an appropriate scale, built form and character to the area; and Policy TB24 of the Local Plan³ which includes a requirement for development to conserve and enhance designated heritage assets, including retention or incorporation of existing features or details of architectural significance or design quality into the scheme. There would also be conflict with Sections 12 and 16 of the Framework, relating to design and the historic environment.

Living conditions

16. Concerns have been raised about the effect of the rear extension and rear windows on the living conditions on the living conditions of neighbouring occupiers in terms of outlook and privacy.
17. The development would introduce three Juliet style balconies with double windows to the rear elevation of the dwelling, one of which would be closer to the boundary with the neighbour at no.20. In addition to this, there would be two first floor windows introduced to the side elevation although the plans indicate that these would be secondary windows serving a bathroom and bedroom.
18. Taking into account the orientation of the appeal property to no. 20, there is already a degree of overlooking from the first floor windows towards the sitting out area. I accept that the angles of the two properties to each other would mean that the closest window may be set behind the rear elevation of no. 20. Nonetheless, the proposals would reduce the distance of the appeal site to this neighbour, and this combined with the increased size of window would increase the extent of overlooking and loss of privacy to occupiers of no. 20 across the sitting out area and most of the garden. I have had regard to

¹ Paragraph 008 Reference ID 21b-008-20140306 – What is a material planning consideration?

² Wokingham Borough Adopted Core Strategy Development Plan Document (January 2010)

³ Wokingham Borough Adopted Managing Development Delivery Local Plan Document (February 2014)

the change in widths as set out by the appellant, however I do not consider that this sufficiently compensates for the increased overlooking that would result from the development.

19. Therefore, I conclude that the proposed development would have a harmful effect upon the living conditions of the occupiers of the neighbouring residential property at no. 20 with particular regard to privacy. The proposal is contrary to the amenity protection aims of Policy CP3 of the Core Strategy and paragraph 130 of the Framework.

Other Matters

20. I note the concerns raised as a result of the proposed bifold doors to the side extension, suggesting that this would result in harm to the neighbouring occupiers as a result of the noise from the proposed development. I am not provided with evidence that demonstrates that this design feature would result in unacceptable harm to neighbouring properties. I accept that some finishes may result in echoing of noise around a room, however this may be subject to change dependent on furnishings and also the activities of the occupiers. Even so, these would not be a permanent feature of the development and as such I am not persuaded that noise would be beyond that usually expected as a result of residential living whether inside or outside.
21. I note that the highways officer has requested further detail to provide parking for three vehicles at the appeal site. The plans before me show that there is an existing garage and given that the development would not encroach on the existing driveway, I consider that there would be sufficient space for at least three vehicles here.
22. There are comment relating to tree protection and archaeology. I am not provided with any evidence to demonstrate that the development would result in harm to either of these considerations and as such I am satisfied that the usual working practices and regulations would ensure that there are no harms to these features as a result.
23. Whilst the Parish Council have not objected to the proposal, the absence of objection does not in itself render the scheme acceptable. The appeal documents state that the development at no.16 was objected to but permitted. I also note the concerns of the appellant with regard to consistent decision making, however I have found the circumstances in each proposal likely to be different, and these considerations do not outweigh the harm identified here.
24. I note the appellant's comments about the lack of dialogue and engagement from the Council as part of the determination of the planning application, in particular the stress caused to the applicant as a result of the refusal of planning permission. However, I have determined this appeal on its individual planning merits and none of the other matters outweigh or overcome my conclusion on the main issue.

Conclusion

25. For the reasons set out above, I conclude that the appeal should be allowed insofar as it relates to the single storey side extension and dismissed insofar as it relates to the two storey rear/side extension.

Conditions

26. In addition to the standard time limit condition, I have imposed a condition that the development is carried out in accordance with the approved plans. This is in the interests of certainty. In order to protect the character and appearance of the area and the CA I have also imposed a condition requiring the external materials used in the construction of the side extension to match those of the existing building.

Rebecca Thomas

INSPECTOR