



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/22/3291655

11 Jarvis Drive, Twyford, Wokingham RG10 9EW

- 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 & Mrs Shepherd against the decision of Wokingham Borough Council.
 - The application Ref 212245 dated 29 June 2021, was refused by notice dated 8 November 2021.
 - The development proposed is the proposed conversion of existing loft space to create additional habitable accommodation with 4 no. rooflights plus insertion of solar panels.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. 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.

Main Issues

3. Having considered all of the evidence before me, I consider the main issues in this appeal to be the effect of the proposed development on the character and appearance of the area and on the living conditions of neighbouring occupiers in terms of outlook and privacy.

Reasons

Character and appearance

4. The appeal site is a link-detached dwelling located in a modern residential area. The area is characterised by the variety of dwellings, both in their design and use of materials, resulting in an interesting street which is not wholly uniform. I was able to see at my site visit the use of hipped gable features, flint, red brick and tile hangings, amongst other features. The appeal site is located on one side of a small grassed area, which contributes to the quiet residential setting, and the dwelling can be seen on the approach across this green area.

5. The existing property is constructed of red brick with a tiled roof with a traditional gable, facing the street. The house has tile hangings to the front and side, and I was able to see a single storey rear extension. The proposed development would result in an extension to the existing dwelling by way of providing a Dutch style Mansard roof with sprocketed eaves and windows front and back, with rooflights and solar panels to the Mansard roof. The extension would not extend beyond the existing ridge of the dwelling, rather the Mansard arrangement would provide the space to include additional accommodation in the roof.
6. Whilst I accept that there are no Mansard roofs visible in the area, the proposal would include the continuation of the tile hangings and the roof as extended would make use of similar materials and as such the development respects the original dwelling and the variety of design and materials in the local area. The immediate neighbour features a hipped gable and so in this respect, the provision of the Mansard roof is not entirely at odds with this neighbour, albeit a slightly different form of roofline.
7. The proposal would also include the provision of a triple window to the roof, thus introducing a third storey to the dwelling. I was unable to see any three storey dwellings in the area. The introduction of the windows to the third floor would emphasise the increase in floors to this dwelling, thus creating the effect of a significantly taller dwelling, which would appear dominant to the street and would be at odds with the character of the area which is clearly two storey dwellings only. Even those dwellings with hipped gables feature only two storeys and therefore the development would conflict with the overall character and appearance of the local area.
8. Accordingly, whilst I concede that the development would not cause harm to the appearance of the appeal dwelling itself, it would fail to respect the character and appearance of the local area. As such, there would be conflict with Policy CP3 of the Core Strategy¹ which expects that (amongst other things) development should be of an appropriate scale, built form and character to the area. There would also be conflict with Section 12 of the Framework, relating to design.

Living conditions

9. Concerns have been raised about the effect of the extensions to the living conditions of neighbouring occupiers in terms of outlook and privacy. The appeal site has a direct back to back relationship with numbers 2 and 3 Salix Gardens. The Council states that the rear to rear distance between the appeal site and the dwellings at numbers 2 and 3 would be 23.5m falls short of the 26m required for this relationship between properties which are more than 2 stories. The proposed development would include a triple window serving a bedroom facing the properties at Salix Gardens. I was able to see a mature hedge on the boundary between the appeal site and the properties at Salix Gardens. Nonetheless this would not overcome the effect of the extensions to the roof which would result in an increased built form, resulting in an imposing gable end facing Salix Gardens, with a triple window directly facing these neighbouring properties. This would therefore result in a dominant and oppressive feature which would have an overbearing effect upon outlook and

¹ Wokingham Borough Adopted Core Strategy Development Plan Document (January 2010)

privacy from the back gardens and rear facing habitable rooms at these properties in Salix Gardens.

10. 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 therefore contrary to the amenity protection aims of Policy CP3 of the Core Strategy and paragraph 130 of the Framework.

Other Matters

11. I recognise that the appellant has taken careful consideration of the solution to provide the extension to the roof, including permitted development rights for extending the property. However, this does not outweigh my findings in respect of the effect of the proposed development on the character and appearance of the area and living conditions to neighbouring occupiers.
12. The appellant has confirmed that the scheme was revised during the course of the application in response to concerns raised by the Council about overlooking, to provide a high level window to the rear bedroom window. However, in the absence of a definitive proposal with associated submitted plans, I consider that it would be inappropriate for me to formally consider a revised proposal. I have had regard to the Procedural Guide² which advises that an appeal should not be used to evolve a scheme; consequently, I have considered the appeal on the basis of the scheme and plans which were before the Council when it made its decision.
13. Whilst neighbouring occupants have not objected to the proposal, the absence of objection does not in itself render the scheme acceptable.

Conclusion

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

Rebecca Thomas

INSPECTOR

² Procedural Guide – Planning Appeals - England