



Appeal Decision

Site visit made on 2 February 2022

by L J O'Brien BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2022

Appeal Ref: APP/E0345/D/21/3271422

4 Tofrek Terrace, READING, RG30 2JS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Sami Cani against the decision of Reading Borough Council.
 - The application Ref 201720, dated 2 December 2020, was refused by notice dated 26 January 2021.
 - The application sought planning permission for part one, part two storey rear extension without complying with a condition attached to planning permission Ref 200982, dated 21 October 2020.
 - The condition in dispute is No 3 which states that: The development hereby permitted shall ONLY be carried out in accordance with the following approved plans, received 13/10/20: Drawing No: 41619-05 Rev. C - Proposed Ground Floor Plan, Drawing No: 41619-06 Rev. C - Proposed First Floor Plan, Drawing No: 41619-07 Rev. C - Proposed Roof Plan, Drawing No: 41619-08 Rev. C - Proposed Elevations.
 - The reason given for the condition is: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.
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Decision

1. The appeal is dismissed.

Background and Main Issues

2. The appeal site is a two-storey mid-terraced dwelling on a residential street. Permission was granted in October 2020 for a part one, part two storey rear extension. This permission was granted subject to a number of conditions.
3. The proposal is for the variation of condition 3 of that planning permission to allow amendments to the approved drawings to include allowing an increased depth of 0.5m at the ground floor and 1.5m at the first floor. The Council refused the application as they were of the view that the amendments to the scheme would have an unacceptable impact on the character and appearance of the area and residential amenity.
4. Consequently, the main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on the living conditions of the occupiers of 3 and 5 Tofrek Terrace with particular regard to outlook.

Reasons

Character and appearance

5. The revised proposal which would be facilitated by this appeal would be approximately 0.5m deeper at ground floor level than the approved scheme. The revised proposal would be around 1.38m deeper at first floor level but would be less wide and thus set-in further.
6. In my view, the marginal increase in depth at ground floor level alone would not be such so as to result in an addition which would appear overly large or dominant. The additional depth, however, at first floor level would create a first-floor which would not step-in from the ground floor rear elevation in terms of its depth. The proposed extension would, therefore, appear excessively large and bulky and would not be subservient to the original dwelling.
7. Furthermore, the side elevations of the scheme as amended would appear as vast, blank, expanses of brickwork which would exacerbate the apparent bulk of the proposal.
8. Though I accept that the impact of the first-floor element would be somewhat mitigated by the diminished width this would not be sufficient to ensure that the proposal would be acceptable in design terms.
9. Consequently, the proposal would cause be an unsympathetic and overly dominant addition which would cause harm to the character and appearance of the area and would fail to comply with Policies CC7 and H9 of the Reading Borough Local Plan, adopted November 2019 (LP). Amongst other things these policies state that all development must be of high design quality and require extensions to a house to respect the character and appearance of the house in terms of scale, location, materials and design.

Living conditions

10. The proposed extension would present largely blank brick elevations to neighbouring properties and would be close to neighbouring properties on both sides. In my view, due to the limited difference, the increased depth at ground floor level would not have a significantly noticeable greater effect on neighbouring properties than the permitted extension.
11. The proposed first-floor element would be set further in from the neighbouring property at No 5 than would be the case under the permitted development. For this reason, though the first-floor, as amended, would have a greater depth I do not consider that this would be such so as to have a markedly more harmful effect on the occupiers of that property than the permitted development.
12. Conversely, however, the increased depth at first-floor level in such close proximity to the neighbouring dwelling at No 3 would cause the proposal to appear as a large, blank, visually dominant addition when viewed from that property. The depth of the proposal at first-floor level, in combination with the existing rear projection at No 3 would harmfully enclose the rear of the property at No 3. The effects of the proposal would be exacerbated by the blank elevation. For these reasons, the proposal would appear as an overbearing and visually intrusive addition which would cause harm to the living conditions of the occupiers of No 3 Tofrek Terrace.

13. Consequently, the proposed amendments would be at odds with Policies CC8 and H9 of the LP. These policies, amongst other things, state that development will not cause a detrimental impact on the living environment of existing residential properties and extensions to a house will be acceptable where it does not present an overbearing impact on neighbours or a large blank façade to public areas.

Conclusion

14. The proposal would not accord with the development plan when it is considered as a whole and I have not identified any material considerations which indicate that the appeal should be allowed. For the reasons given above I conclude that the appeal should be dismissed.

L J O'Brien

INSPECTOR