



Appeal Decision

Site visit made on 31 January 2023

by M. P. Howell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2023

Appeal Ref: APP/Q3115/W/22/3304547

3 Chazey Close, Chazey Heath, Reading RG4 9ET

- 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 Mark Bridgland (Bridgland Financial Management Holdings Limited) against the decision of South Oxfordshire District Council.
 - The application Ref P21/S5334/FUL, dated 16 December 2021, was refused by notice dated 3 May 2022.
 - The development proposed is to subdivide the existing 7-bed dwelling to form 1x 5-bed dwelling and 1x 2-bed dwelling utilising existing parking and vehicular access to Chazey Close; single-storey front extension and addition of new porch and access; associated works.
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Decision

1. The appeal is allowed, and planning permission is granted to subdivide the existing 7-bed dwelling to form 1x 5-bed dwelling and 1x 2-bed dwelling utilising existing parking and vehicular access to Chazey Close; single-storey front extension and addition of new porch and access; associated works at 3 Chazey Close, Chazey Heath, Reading RG4 9ET in accordance with the terms of the application, Ref P21/S5334/FUL, dated 16 December 2021 subject to the conditions listed in the attached schedule.

Main Issue

2. The main issue of the appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

3. Chazey Close is a residential cul de sac in a rural setting, characterised by semi-detached two storey dwellings and bungalows finished in brick with ample rear gardens. The dwellings, for the most part, have a minor step in the building line and are set behind front gardens and driveways that are largely open with low-lying fences, walls and hedgerows.
4. 3, Chazey Close is a two-storey semi-detached dwelling, which has been extended to the side and rear. The adjoining semi-detached dwelling has not been extended, but a number of other dwellings within the Close have been extended in a similar manner. Despite the sizeable extensions to several properties, the scale and appearance of the dwellings, open frontages well as the spaces in-between have largely been maintained. The simple pattern of development, open frontages, spacing as well as the coherent finishing contributes positively to the character and appearance of the area.

5. The proposed development would result in the subdivision of the existing property. The existing two-storey side and part of the rear extension would form a separate dwelling and the original property and rear extensions would form a larger dwelling. External changes would include the conversion of the garage, a lean-to front extension and a porch canopy to the front.
6. The extension, where the new dwelling would be formed, is already in place and is similar in scale, appearance, and finish to other subservient extensions within the close. Furthermore, the porch canopy and front extension would be single storey, modest in scale and finished to complement the scale, design, and appearance of the existing building. The new door and window openings would also reflect the size, position, and materials of the existing window and door openings within the vicinity. As such, the extensions and alterations to form the additional dwelling would not have an adverse impact on the character and appearance of the host property or the wider area.
7. I appreciate that the dwelling would form a terrace and the plot width for the existing and proposed dwelling would be narrower. However, the rear gardens would not be appreciable from public vantage points, and the frontage would remain open with part of the hedgerow being retained. Furthermore, the dwellings would be orientated to face the road, maintaining the spacing between coherent finishing materials, which contribute to the character and appearance of the area. As such, the subdivision of the dwelling would not result in a cramped form of development or significantly alter the character and appearance of the area.
8. Accordingly, the proposed development would have an acceptable impact on the character and appearance of the host property and wider area. As such, the proposed development complies with Policies DES1, DES2 and H17 of the South Oxfordshire Local Plan 2020 and the South Oxfordshire Joint Design Guide 2020 (JDG). These policies and guidance, seek to permit development where the design is of a high quality as well as complementing and responding positively to the character and local vernacular. Also, the subdivision of properties will be permitted where it is appropriate in terms of the size of the property, the internal layout, access, private amenity space and car parking.

Other Matters

9. I have had regard to concerns raised in representations, including parking and highway safety, the impact upon the setting of the Chilterns Area of Outstanding Natural Beauty (AONB) and Cherry Tree Cottage, a Listed Building. Furthermore, concerns over noise and disturbance as well as lighting from the additional dwelling, which would affect the living conditions of neighbours.
10. Whilst I have had regard these matters, traffic generation from an additional dwelling would be small and the parking provision would be sufficient for two dwellings. Visitor parking could also be accommodated within Chazey Close, which does not include any parking restrictions. The additional noise and disturbance from a single dwelling would also not be significant enough to have detrimental impact upon any of the adjacent neighbours living conditions.
11. Chazey Close lies close to, but outside of the Chilterns Area of Outstanding Natural Beauty (AONB). The proposed development would be contained within an existing residential housing estate, and it would be viewed within the context of the built form and would not fundamentally alter or fail to reflect the existing

pattern of development. As such, the proposed development would not be harmful to the landscape and scenic beauty of the Chilterns AONB or its setting. I have given weight to the conservation (and enhancement) of the landscape and scenic beauty of the AONB in my decision.

12. Similarly, the proposed works would not impact setting of Cherry Tree Cottage, which is a Listed Building. The setting of Cherry Tree Cottage is its rural location and the cul-de-sac of Chazey Close to its north. However, given the distance of the appeal site from the Listed Building and the nature of the minor changes, I am of the view that the proposed development would preserve the setting of Cherry Tree Cottage. I have had regard to the statutory duty in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when making my decision.

Conditions

13. The Council has submitted suggested conditions, were I minded to allow the appeal. I have considered these in the light of advice in the Framework and Planning Practice Guidance (the PPG) and, in the interests of clarity and precision, amended some of the wording thereof.
14. In addition to the statutory time limit, it is necessary in the interests of clarity, to define the approved plans for the scheme. Conditions ensuring the implementation of parking, access and details of landscaping are necessary to ensure their provision to serve existing and future occupiers. However, as there are no proposals to extend the hard surfacing of the parking area, it is not necessary to require surface water drainage details. Enclosures, as well as extensions to the property and outbuildings should be limited to protect the character and appearance of the area as well as the living conditions of the nearest neighbours.
15. However, conditions requiring pedestrian visibility splays are unnecessary, particularly given the low level of traffic accessing Chazey Close and the minor increase in vehicle movements. As such, this condition is not necessary to make the development acceptable. The Council also suggested a condition to secure electric vehicle (EV) charging points. The amended Building Regulations, which came into force on 15 June 2022, require the installation of EV charging points. As such, it is not necessary to duplicate the function of other regulatory bodies or controls.

Conclusion

16. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed.

M. P. Howell

INSPECTOR

Schedule of Conditions

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
- 2) The development hereby approved shall be carried out in accordance with the details shown on the following approved plans, 1 Rev D, 3, 4 Rev A, 10, 11 Rev A except as controlled or modified by conditions of this permission.???
- 3) Prior to the first occupation of the development hereby approved, the parking areas shall be provided in accordance with drawing no. 01 Rev D, and shall be retained unobstructed except for the parking of vehicles associated with the development at all times. Any widening of the proposed means of access onto Chazey Close shall be laid out and constructed in accordance with the local highway authority's specifications.
- 4) Prior to first occupation of the development hereby approved, a scheme for the landscaping of the site, including the planting of trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include schedules of new trees and shrubs to be planted (noting species, plant sizes and numbers/densities), the identification of the existing trees, hedges and shrubs on the site to be retained (noting species, location and spread), and an implementation programme. The scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter be maintained in accordance with the approved scheme.
- 5) In the event of any of the trees or shrubs planted in accordance with the landscaping scheme approved under Condition 4, die or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub or equivalent number of trees or shrubs, as the case may be, of a species first approved by the Local Planning Authority, shall be planted and properly maintained in a position or positions first approved in writing by the Local Planning Authority.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) the enlargement, improvement or other alteration of new dwellinghouses described in Schedule 2, Part 1, Class A or the provision within the curtilage of the dwelling of any building, enclosure or swimming pool as described in Class E of the Order shall not be undertaken without obtaining planning permission from the Local Planning Authority.
- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 (or any Order revoking or re-enacting that Order) the erection or construction of gates, fences, walls or other means of enclosure as described in Schedule 2, Part 2, Class A of the Order shall not be undertaken without obtaining planning permission from the Local Planning Authority.