



Appeal Decision

Site visit made on 24 September 2024

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th November 2024

Appeal Ref: APP/X0360/W/24/3348114

18 Danywern Drive, Winnersh, Wokingham RG41 5NR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Freeman against the decision of Wokingham Borough Council.
 - The application Ref is 232985.
 - The development proposed is erection of 1no. dwelling with new vehicular access and outbuilding, following demolition of existing dwelling and outbuildings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal submission includes amended plans that alter the siting of the proposed replacement dwelling and its main roof form. When considered cumulatively, this forms a substantial difference and a fundamental change to the application, and ultimately results in a different application. The Procedural Guide for Planning Appeals advises that the appeal process should not be used to evolve a scheme. To clarify, my decision is therefore based on the plans before the Council when the application was determined.
3. The decision notice refers to Section 14 of the Borough Design Guide Supplementary Planning Document (BDG). The Council has since confirmed that this section of the BDG was quoted in error, so it does not form part of my consideration of this appeal.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the surrounding area; and,
 - the effect of the proposed development on the living conditions of the occupiers of 16 and 20 Danywern Drive, with particular regard to outlook.

Reasons

Character and appearance

5. The appeal site (No 18) comprises a detached bungalow facing Danywern Drive, a residential street in Winnersh. The surrounding area contains mainly detached dwellings with a non-uniform mixture of heights, scale and styles on

both sides of Danywern Drive. The properties are all set back from the road, with some variation in front building line, which provides a sense of spaciousness along this street.

6. From its junction with Robin Hood Lane, Danywern Drive consists of bungalows and chalet-style dwellings, some with front dormers. On closer approach to No 18, some surrounding dwellings are noticeably higher, although the scale either side of No 18 is single storey. There are two storey dwellings further beyond No 18, including Nos 24 and 26. Other two storey development is also visible from within its rear garden.
7. The replacement dwelling would be noticeably higher than the bungalows to each side of it. It would project beyond the front elevation of No 16, and the proposed large two storey crown roof form would be clearly visible from both directions along the road. Although the proposal would be of less width than No 16 and No 20 at each side, this is due to the site frontage being of narrower width than these neighbours. Given this and the proximity to the side boundaries, in particular that of No 16, the massing would appear cramped and squeezed in to its plot.
8. The dwelling would also appear uncharacteristically deep alongside the immediate built form to each side, and I found no examples of crown roof forms of such height and visual prominence in the vicinity. This would further accentuate and draw the eye towards what would be a jarring, overly prominent and unduly dominant addition to the streetscene.
9. Intervisibility is also possible between No 18 and Nos 15, 17, 19, and 21 on the opposite side of the road and sited on higher ground. At the time of my visit, No 17 had been demolished and was in the process of redevelopment. The appellant has provided recently approved plans for a replacement two storey dwelling at this site (LPA Ref: 240751). This approved dwelling is noticeably shallower at two storey level than the appeal proposal, and also does not contain a crown roof. When completed, this would provide a row of two storey dwellings, but their plot frontages are all wider than No 18.
10. Whilst No 15 is next to a bungalow on its other side, it is less bulky at upper floor level than the proposal due to its single storey eaves level. No 19 has a fuller two storey scale sited relatively near to No 21, but this neighbour forms a chalet-style dwelling with a noticeably taller ridgeline than those either side of No 18. The above surrounding plot layouts and buildings avoid a cramped feel and generally demonstrate appropriate fluctuations in height and scale throughout Danywern Drive.
11. In this context, the proposed replacement dwelling would cause significant harm to the character and appearance of the surrounding area, contrary to Policies CP1 and CP3 of the Borough Core Strategy Development Plan Document (2010) (CSDMP), and Policy TB06 of the Managing Development Delivery Local Plan (2014) (MDDLDP). Collectively, these policies require, amongst other things, development proposals to maintain or enhance the high quality of the environment and be of appropriate mass, layout, built form and character to the area. The proposed cramped appearance and siting would also conflict with the advice contained within section 4 of the BDG, which advises a 1m minimum gap in width to neighbouring side boundaries.

12. The dwelling would also not provide a well-designed appearance or layout as required by Section 12 of the National Planning Policy Framework (the Framework), as it would fail to be sympathetic to the surrounding built environment. In this respect, it is also contrary to the advice of Sections C and I of the National Design Guide, which advocates context and identity as part of its ten characteristics of well-designed places.
13. The proposal includes a dual access frontage and a large area of front hardstanding. As there are other similar access and driveway layouts in the vicinity, this arrangement would not make the front of the plot appear uncharacteristically dominated by parking bays and parked vehicles. Accordingly, I have not found this element of the proposal to be harmful.

Living conditions

14. No 18 contains rear sheds and structures which would be removed. Whilst they are not of comparable size to the proposal, its projection beyond the rearmost elevations of No 16 and 20 to each side would be limited to single storey height and would not adversely impact these adjoining rear gardens.
15. The proposal would be near to the side and inset rear elevation windows and glazed doors of No 20 and would be viewed as a larger building than the existing bungalow. The outlook of these neighbouring openings, and the outside space beside them, is already restricted by surrounding development, particularly the detached garage of No 20 immediately adjacent to its side. The proposal would therefore avoid an adverse level of additional impact upon the outlook of No 20.
16. The proposal would project beyond the front of No 16 and its proximity with the side boundary does not comply with the BDG advice. The existing dwelling already projects beyond the front of No 16, at single storey level but to a greater extent than the proposed built form. No 16 contains two side elevation windows on its rear outshot facing No 18, but these are obscure-glazed and high-level. The above layouts would avoid the proposal forming an overbearing or oppressive feature upon these neighbouring dwellings, even though the roofline would exceed that of both these dwellings.
17. An adjoining neighbour also raised concerns regarding loss of light and overlooking from the proposed main dwelling and rear outbuilding. The resultant layouts as described above would avoid adverse overshadowing impacts. The main dwelling upper floor side elevation windows would not serve habitable rooms and could therefore be obscure glazed. Whilst habitable ground floor side windows are also proposed, such a layout is common in urban linear settings. In this context, the proposed juxtaposition of windows would not lead to a harmful degree of overlooking to either No 16 or No 20.
18. The dwellings have deep gardens, and the proposed outbuilding is modest in scale and sited towards the rear boundary, where the extent of side boundary screening reduces. Had I been minded to allow the appeal, a suitably worded planning condition could have been imposed to secure appropriate screening to avoid overlooking.
19. The proposal therefore complies with Policy CP3 of the CSDMP and Section 12 of the Framework which require, amongst other things, proposals to avoid detriment to amenities of adjoining occupiers and their quality of life, and a

high standard of amenity for existing and future users. The second reason for refusal also cites harm to Policy TB06 of the MDDLDP. Whilst this policy refers to a wide range of requirements, it does not explicitly refer to living conditions of neighbours. In this context, I have found no harm to this policy.

Other Matters

20. My attention has been drawn to photographs of a two-storey property in Hilltop Road that was approved despite the presence of bungalows to each side. This is however on a different road and within a different context to the appeal site, which has been considered on its own merits.
21. Interested parties have raised concerns regarding potential use of the proposal as a House in Multiple Occupation (HMO), due to the number of bedrooms with ensembles, and that parking should also be assessed on this basis. The appellant states this is not the case and for clarity, I have assessed the proposal as a single-family dwelling with five bedrooms. The dual access frontage and driveway area would provide sufficient off-street parking for this dwelling.

Conclusion

22. Whilst I have found that the proposal would not have a harmful effect on the living conditions of the occupiers of 16 and 20 Danywern Drive, it would cause significant harm to the character and appearance of the surrounding area. The decision notice also cites conflict with Policy CC01. This is a permissive policy that reflects the Framework's presumption in favour of sustainable development. However, I find the other relevant development plan policies to be consistent with the Framework. As such, this policy is not engaged.
23. The proposal therefore conflicts with the development plan as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

R Cahalane

INSPECTOR