

HUNGERFORD 17/00730/HOUSE Pins Ref 3182996	Millstone, Smitham Bridge Road Hungerford	Erection of single storey garage with timber refuse store plus single storey rear extension	Delegated Refusal	Allowed 1.12.17
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Main Issues

The main issues in this case are the effect of the appeal proposal on: the character and appearance of the area; highway safety; and the living conditions of the existing and future occupants of both the host dwelling and neighbouring residential properties.

Reasons

Character and Appearance

The site is situated within a street of varied architecture with a mix of residential and commercial uses. A stepped footpath runs adjacent to the north east boundary of the appeal site which is demarcated by a high close-boarded timber fence, and which together separate the site from an elevated block of garages served via Chilton Way. These garages are clearly visible from Smitham Bridge Road.

The appeal site's frontage is screened by high conifer hedging and the existing area to the front of the appeal site, much like for those dwellings due south west, provides space for the parking of vehicles. Some other front gardens in the street are also partly lawned, but all are subdivided from each other to some degree by a mixture of vegetation and boundary fencing. Therefore, the Inspector found that whilst largely undeveloped by buildings, front garden areas within the area cannot be described as being open when viewed together.

The proposed garage would have a low and shallow pitched roof, and would not project beyond the conifer hedge, it would therefore be largely screened from public view. He accepted that it would be forward of the notional building line created by Millstone and its adjoining neighbour, however due to its relatively modest proportions, he considered that it would not amount to an obtrusive feature within the street scene. He stated this bearing in mind the context formed by the aforementioned Chilton Way garages and the range of boundary treatments which enclose the adjacent residential frontages. Furthermore, he accepted that the garage building would, in part, be built in front of the host dwelling's principal elevation, however, this would just be past the front door and would not therefore significantly obscure or dominate it.

The Inspector acknowledged that the Council's House Extensions Supplementary Planning Guidance (2004) (HESPG) stipulates that garages should normally be located to the side or rear of dwellings and be set back from the highway to allow access or parking between the garage and the pavement. There is no pavement in front of the appeal site, but nonetheless due to the proposed location of the garage at 90 degrees to the road there would remain space for driveway parking in front of the garage's door. The HESPG also stipulates that care should be taken to ensure that garages do not dominate the main elevation, which the Inspector found not to be the case for this proposal, especially with the low ridge and eaves lines proposed.

He noted the Council's concern about a precedent being set, but each case must be assessed on its own merits. In addition, he noted that the Council is concerned that when taking into account the proposed single storey rear extension, the proposal would give rise to an overdevelopment of the site. However, bearing in mind that the extension to the rear would be obscured from public view, he considered that its overall impact would be at the very most a neutral one upon the character and appearance of the area.

Therefore, in summary, the Inspector concluded that the proposed garage by virtue of its positioning would not result in an incongruous addition to the street scene and combined with the proposed single

storey rear extension would not have an unacceptable detrimental impact upon the character and appearance of the area, with adequate space remaining around the dwelling.

The Inspector found no material conflict between the proposal and Policy CS19 of the West Berkshire Core Strategy 2006–2026 (2012) (WBCS) and the proposal complies with WBCS Policy CS14 which is concerned with design principles and requires new development to demonstrate high quality and sustainable design that respects the character and appearance of the area. On this matter the Council have not substantiated why the proposal conflicts with the guidance contained in the Quality Design – West Berkshire Supplementary Planning Document Part 2 Residential Development (2006), however he found that the proposal complies with paragraphs 56 and 64 of the National Planning Policy Framework (the ‘Framework’) which require good design of the built environment and seek to resist development of poor design respectively.

Living Conditions

In respect of the effect of the proposal upon the living conditions of the existing and future occupants of the host dwelling, the garage would only obscure the existing front door to the property and would not impinge upon outlook from any habitable room windows, with the single storey rear extension improving the internal living accommodation of the dwelling.

The Inspector had not been provided with any specific standards in respect to external amenity space, but he noted on his visit that there would still be a reasonable amount of garden provided both to the rear and to the side of the dwelling. The Inspector had already found that the site would not become overdeveloped as a result of the proposal and he found that the living conditions of the occupants of Millstone would therefore be protected by the proposal.

The Inspector noted that the Officer Report highlights that the primary impact of the development would be to the adjoining property to the south west, but then it goes on to state that whilst the proposed extension would be larger than that which could be erected under permitted development rights, it was considered on balance acceptable, with a minimal impact on light and outlook.

The Inspector had no reason to come to a different conclusion on this matter and therefore he found that the proposal would not have a materially detrimental impact upon the amenities of the occupants of neighbouring residential properties either. Again, the proposal complies with WBCS Policy CS14 which would make a positive contribution to the quality of life in West Berkshire, as well as complying with one of the core planning principles of the Framework which is to always seek to secure high quality and a good standard of amenity for all existing and future occupants of land and buildings.

Highway Matters

The Inspector noted the previous advice given from the Local Highway Authority (LHA) was that the proposed garage would be taking up an existing parking space. However as cited by the appellant, the purpose of the proposal is to accommodate one of their cars. There would remain space for at least one, if not two cars on the driveway. Therefore, there would be no net loss of parking provision on the site.

The LHA has referred to the proposal giving rise to the removal of available manoeuvring space, but from what the Inspector could see, no such space currently exists to enable a vehicle to enter and then leave the site in a forward gear. Therefore, whether or not a vehicle enters the site in a forward or reverse gear, there is always going to be one reversing movement undertaken when vehicles are either entering or leaving the site. The Inspector also noted that there are no on-street parking restrictions in front of the house and vehicle movements and speeds were low at the time of his visit, therefore traffic conditions are such that the likelihood of the free flow of traffic being stemmed would be low.

Reference has been made to the Council’s Housing Site Allocations DPD (adopted May 2017) (HSADPD), but it has not been substantiated as to why the parking of a vehicle on the street outside

the frontage of the appeal dwelling, where vehicles were already parked at the time of his site visit, would give rise to harm to highway safety. The Inspector stated this notwithstanding the fact that HSADPD Policy P1 stipulates that garages will not be counted as a parking for the purposes of meeting the required levels of parking set out therein for new development, which is not the case here as the proposal relates to an existing dwelling.

The Inspector therefore considered that the proposal would provide adequate parking facilities, would not give rise to obstructions to the free-flow of traffic along Smitham Bridge Road, and therefore would not adversely affect road safety. He found no conflict with WBCS Policy CS13 which requires development that generates a transport impact to, amongst other things, improve and promote opportunities for healthy and safe travel.

Conclusion and Conditions

For the reasons set out above, and having regard to all other matters raised, the Inspector concluded that the appeal should succeed.

Other than the standard time limit condition, the Council has suggested a condition requiring the external materials to be used in the construction of the extensions to match those of the existing building. In the interests of the character and appearance of the surrounding area this is an appropriate condition, in addition to imposing a condition that requires the development to be carried out in accordance with the approved plans.

The Council has suggested an additional condition to be imposed which restricts the use of the garage hereby approved. The reason imposed is so that a separate unit of accommodation is not created and to protect the special character of the area, including that of the North Wessex Downs Area of Outstanding Natural Beauty, the Inspector found that by virtue of the limited floor area proposed that such a change of use would unlikely occur. However, in view of the fact that there is a need to maintain at least two car parking spaces on the site, and notwithstanding the absence of parking standards for existing residential developments, he considered it necessary to impose a condition that requires the garage to be retained for the parking of vehicles at all times.

Decision

The appeal is allowed and planning permission is granted for the erection of a single storey garage with timber refuse store plus single storey rear extension at Millstone, Smitham Bridge Road, Hungerford RG17 0QP, in accordance with the terms of the application Ref 17/00730/HOUSE, dated 12 March 2017 subject to the following conditions:

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1409.01A, 1409.02B, 1409.03A, 1409.03B, 1409.04A, 1409.05, 1409.11A and 1409.12B.
3. The materials to be used in the construction of the external surfaces of the development hereby approved shall match those used in the existing building.
4. The garage hereby permitted shall be kept available at all times for the parking of motor vehicles by the occupants of the dwelling and their visitors and for no other purpose.

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