

SHAW CUM DONNINGTON 17/03291/FULD PINS Ref 3202133	60 Dene Way Donnington Newbury Mr Hawkins	Proposed erection of a three-bedroom end terraced dwelling and associated works.	Del Refusal	Allowed 7.11.18
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Main Issues

The main issues are the effect of the development on the character and appearance of the area and the effect on the living conditions of future residents of the proposed dwelling with particular regard to garden size.

Reasons

Character and appearance

The area has a suburban character with a relatively low density arrangement of dwellings. There is a common architectural language which contributes to a homogenous appearance to the area. Along the straight sections of road, most dwellings are set back from the road frontage by a uniform distance giving clearly defined straight lines of buildings. There is, also a fairly regular spacing between dwellings. These factors combine to give the area a spacious character and appearance.

At the street corners and junctions, the distance of the dwellings from the road varies as the buildings turn the corners. On the inside of the bends, there are a number of examples where the dwellings have been arranged such that they have large, open side gardens. This means that buildings sited around the corner are not visible when looking along the lines of buildings.

Elsewhere, there are other examples, both in the historic arrangement of dwellings such as Nos. 6 and 8 Northern Avenue, and more recent infill dwellings or extensions such as Nos. 48a Dene Way and 5 Northern Avenue where the line of buildings is breeched at the corner. Whether or not No. 48a is considered to be an appropriate addition to the area, it is now part of the street scene and currently existing character. These breeches mean that there is no uniform treatment to the corner plots, although the open spacious character and appearance has still been preserved.

The appeal site is currently an example of an open, undeveloped inside corner plot. As such a regimented line of dwellings is apparent when looking along Dene Way from No. 50 towards No 60. The proposed dwelling would respect this line and its positioning would not disrupt the line of buildings. Around the corner, its neighbours, Nos. 62 and 64 are a pair of semi-detached dwellings that do not form part of a longer line of dwellings. On their opposite side, No. 66, which, like the proposed dwelling, sits at an angle to Nos. 62 and 64, has been extended towards these semi-detached dwellings and the road frontage that they face.

The relative positions of No. 64 and the extended No. 66 means that Nos. 62 and 64 actually sit back behind the line of No. 66. The appeal proposal would result in a similar arrangement to their other side and so would not appear incongruous with the established pattern of development. The resultant dwelling may be closer to the road on its gable end elevation, but not to such a degree that would compromise the overall open and spacious character and appearance of the area. There would still be space for shrub planting around the dwelling, in common with a number of other dwellings if desired by future occupants.

Whilst the garden would be smaller than many of its neighbours, there is a variety of garden shapes and sizes in the area, particularly on corner plots. As the garden space is mainly to the rear of the dwelling, any difference in layout to its immediate neighbours would not be readily apparent. It would not, therefore, make it appear unduly cramped in the street scene.

Turning to the appearance of the dwelling and resultant terrace itself, most of the dwellings, particularly in the immediate vicinity of the appeal site are semi-detached but there are other examples of terraces nearby. Most of those terraced dwellings are smaller than the semi-detached ones in terms of the dwelling frontage and plot width, but as there are often 4 dwellings in each terrace, their building form is quite large. Whilst containing only 3 dwellings, the overall size of the resulting building would be similar to a number of other terraces in the area and so it would not appear monolithic or out of character.

In any case, it is the set back and gaps between buildings, together with the common architectural language that mostly defines the character and appearance of the area. The position of the proposal at the end of a row means that the regular rhythm of gaps would not be disrupted and the architectural form of Nos. 58 and 60 would be carried forward to the proposed dwelling.

The Inspector, therefore, found that the proposal would not harm the character and appearance of the area. As such, it would comply with the Quality Design – West Berkshire Supplementary Planning Document Part 2: Residential Development 2006 (SPD) insofar as it seeks to ensure that the existing character and appearance of areas is protected through carefully considered infill development. It would also comply with those aims of Policies CS14 and ADP1 of the of the West Berkshire Core Strategy 2006-2026 (CS) which seek to ensure that new development preserves, enhances and relates well to the character and appearance of the area and the site's surroundings.

The first reason for refusal relating to this issue also cites a conflict with CS Policy ADP2, but its aims are more focussed on delivering appropriate levels of growth for Newbury whilst respecting the character of the wider town and providing adequate servicing. The Inspector, therefore, found that it has limited relevance to this appeal.

Living conditions

The SPD indicates that as a general guide it is suggested that new 3-bedroomed dwellings should provide 100 square metres of private garden space. The actual amount of rear garden space proposed for the new dwelling is disputed, but, in any case, the SPD indicates that some flexibility is needed and it is the quality of the space that matters the most.

The arrangement of the rear garden would be sufficiently private. It would appear to provide adequate space for a garden shed, washing lines and outside seating as required by the SPD. Whilst the proposed garden may be slightly below the suggested standard, this is not an absolute policy requirement and there is no substantive evidence that the garden proposed would provide inadequate living conditions for future occupiers.

The Inspector, therefore, found that the proposed garden would provide suitable living conditions for its future occupiers and the development would comply with those aspects of the SPD and CS Policy CS14 that seek to ensure that development is of a high quality design that functions well. The second reason for refusal relating to this issue also cites a conflict with CS Policy ADP1, but this policy is more concerned with ensuring an appropriate distribution of development across the district that respects the character and appearance of the area. The Inspector, therefore, found that it is of limited relevance to this issue.

Other matters

The proposal would provide adequate off-street parking provision for the existing and proposed dwelling. The existing dwelling does not currently have any formal off-street parking provision. Whilst the grassed area may be used by the current occupant of No. 60 for parking, and 'single width' accesses would retain a greater amount of parking space, there is no substantive evidence that the road frontage lost for on-street parking would not be off-set by the new formalised parking arrangement.

The site is close to a fairly tight corner. Whilst this configuration reduces visibility around the corner which may be further restricted by parked cars, there is no substantive evidence that this situation would be made worse by the proposal. Adequate visibility would be provided for vehicles emerging from the new parking spaces and, overall, the Council's assistant highways engineer has raised no objection to the proposal. There is nothing substantive to suggest that the proposal would compromise vehicular or pedestrian safety.

The development may put additional pressure on local services, such as those relating to education and healthcare. However, there is no substantive evidence to suggest that this would be to a harmful degree or that it would not be mitigated by any collection of the Community Infrastructure Levy that is noted in the Council's officer report.

The proposed dwelling would include rear windows facing towards No. 62. However, there are no openings in the facing gable end wall of No. 62 other than an obscure glazed ground floor window and access door. The limited views towards the garden of No. 62 would be very similar to those currently available from No. 60 but at a greater angle and, as such, there would not be any significant loss in privacy to this dwelling. The

relative positions of the proposed dwelling and garden of No. 62 would also mean that there was no significant increase in overshadowing of the dwelling or its garden.

There may well be some noise and disruption, including to road users, during the construction process. However, this will be for a relatively short period of time and is, therefore, of limited weight in the Inspector's overall decision. The Council has not required a specific construction management plan within its suggested conditions and the site does not appear to be so heavily constrained as to warrant one.

It has been suggested by one local resident that the proposal would result in a loss of value of their home. However, the particular property concerned has not been specified, nor any detailed reasons given. This is, therefore, of limited weight. It has also been suggested that waste has recently been burned on the site, but this has little to do with the planning merits of the case.

It has been suggested in the representations that bats may be affected by the proposal. However, being mindful of the advice given in paragraph 99 of Circular 06/2005, there is no substantive evidence that there is a reasonable likelihood of protected species being present. The Inspector noted that the Council has raised no concern in this regard and, therefore, he gave this matter limited weight.

Conditions

A plans condition is required in the interests of certainty. Details of construction materials are required in the interests of the character and appearance of the area and a condition securing parking provision is required in the interests of highway safety. The Inspector made revisions to the Council's suggested conditions in the interests of clarity and to ensure compliance with the National Planning Policy Framework.

The Council has suggested a condition removing permitted development (PD) rights for extensions and alterations. The Inspector was mindful of advice in the Planning Practice Guidance that PD rights should only be removed in exceptional circumstances. There is no substantive evidence that any alterations that would not ordinarily require planning permission would have a particular effect on the character and appearance of the area or living conditions. Therefore, such a condition would not be reasonable or necessary in this case.

Decision

The appeal is allowed and planning permission is granted for the erection of a 3 bedroom end terraced dwelling and associated works at Land adjacent to 60 Dene Way, Donnington, Newbury, Berkshire RG14 2JW in accordance with the terms of the application, Ref 17/03291/FULD, dated 21 November 2017, subject to the following conditions:-

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2217/100/A; 2217/101/B; 2217/200/B; 2217/201/A; 2217/202/A; 2217/203; 2217/204.
- 3) Prior to their installation, details / samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples and shall thereafter be retained as such.
- 4) The development shall not be brought into use until vehicle parking spaces have been surfaced, marked out and provided in accordance with the details shown on drawing 2217/200 rev B. The parking spaces shall thereafter be retained and kept available for the parking of vehicles in connection with the occupation of the property to which they relate.

Conclusion

For the reasons given above the Inspector concluded that the appeal should be allowed.

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