



Appeal Decision

Site visit made on 16 May 2023

by Helen Davies MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd May 2023.

Appeal Ref: APP/X0360/W/22/3311543

Parkside House, Lambs Lane, Swallowfield, Wokingham RG7 1JE

- 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 and Mrs J Bull against the decision of Wokingham Borough Council.
 - The application Ref 222478, dated 12 August 2022, was refused by notice dated 14 October 2022.
 - The development proposed is change of use of land to residential and erection of detached building to house domestic garaging and ancillary storage with first floor games room.
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Decision

1. The appeal is allowed, and planning permission is granted for Change of use of land to residential and erection of detached building to house domestic garaging and ancillary storage with first floor games room at Parkside House Lambs Lane, Swallowfield, Wokingham, in accordance with the terms of the application, Ref 222478, dated 12 August 2022, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the site and the surrounding area; and
 - Whether the site would be suitable for the proposal, having regard to its countryside location.

Reasons

Character and appearance

3. The site contains a large, recently extended detached dwelling. It is surrounded by a substantial area of land which mostly lacks any clear distinction between garden land and the wider land outside of the residential curtilage. The dwelling is set well back from Lambs Lane with mature trees and hedging along the roadside boundary. The site is primarily surrounded by fields but there is a business park nearby which contains a range of large warehouse buildings. Neighbouring dwellings are of varied designs and dispersed along Lambs Lane meaning they are viewed within their own individual contexts.

4. The proposal would add a large garage building to the site, located forward of the principal elevation, though set off to the side of the dwelling. It would consist of an open fronted double carport and storage at ground floor with a games room above. The part of the site where the garage would be located is within an area of field which adjoins the residential curtilage but is outside of it. Therefore, the proposal also includes a change of use of land to residential use.
5. In the context of the large dwelling which it would serve, the scale of the garage would not be excessive or disproportionate. The simple form and finish of the building would be sympathetic to the dwelling and the wider countryside setting. The garage would be close to the dwelling and adjoining the driveway so would be viewed as part of the existing residential built form. Although close to the road, the mature trees and hedging at the boundary would provide good screening from Lambs Lane, other than at the site entrance where the dwelling is already a prominent element within the landscape.
6. The parties disagree about the size of the land which would change to residential use. From my assessment of the plans, the footprint of the garage would be approximately 11 metres by 7.6 metres, with a small set off from the driveway. As such, the land to which the change of use would apply is modest in size and would not domesticate the wider area or have an unacceptable impact on the spacious and open character of the surrounding countryside. The garage would provide a clear and distinct delineation between land in residential use and the field beyond, which does not currently exist.
7. The proposal would not follow The Wokingham Borough Council Design Guide Supplementary Planning Document 2012 (SPD) recommendation that garages should be situated to the side or rear and not project forward of the building line. This does not mean the proposal is automatically unacceptable. The SPD is a material consideration which seeks to provide guidance on good design. However, it does not have the same statutory status as policy, and it is necessary and appropriate to consider the context and any harm which would arise from the proposed location.
8. The context for this proposal includes a large dwelling with an irregular footprint, a site close to a business park, and an area where dwellings are spread out and viewed in their own individual context. Consequently, as detailed above, the scale and design of the garage, combined with existing screening, mean it would not be a discordant or dominant feature. The proposed location and layout would not result in excessive encroachment or expansion into the countryside. Therefore, while the proposed location may not comply fully with an SPD recommendation, it would not result in unacceptable harm.
9. Reference has been made to a number of other planning and appeal decisions, full details of which are not before me. From the submitted information it is clear that the proposals and the context for these other schemes differ in significant ways to the proposal subject to this appeal. Some relate to changes of use to garden, without any built form. Others relate to built form that is located away from the road. I have determined this appeal on its own merits, circumstances, and situation, in accordance with the development plan.

10. I conclude that the proposed development would not cause unacceptable harm to the character and appearance of the site and the surrounding area. Consequently, the development would comply with Policies CP1, CP3 and CP9 of the Wokingham Borough Local Development Framework, Core Strategy (January 2010) (CS). Together, amongst other things, these policies seek to ensure that development is of a scale, layout and design appropriate to the character of the area and maintains the quality of the environment.

Location

11. The site is located outside of the development limits set out with Policy CC02 of the Wokingham Borough Managing Development Delivery Local Plan (February 2014) (MDD) so is classified as countryside. Policy CP11 of the CS relates to proposals in the countryside and states that development will not normally be permitted, except in specified circumstances. In the case of residential extensions, those exceptions include where development does not result in inappropriate increases in the scale, form or footprint of the original building.
12. As set out above, the garage would be located adjacent to but outside of the residential curtilage. Despite this, given the location in close proximity to the dwelling and the proposed residential use of the garage, I consider it reasonable to assess the proposal as a residential extension.
13. As I concluded in the previous section, the scale, form, footprint and location of the proposed garage would not be inappropriate when viewed in the context of the dwelling and its surroundings. In addition, the development would broadly comply with the overarching aim of policy CP11 which is to protect the separate identity of settlements and maintain the quality of the environment. Therefore, I conclude that the site would be suitable for the proposal, having regard to its countryside location. It would not conflict with Policy CP11 of the CS or CC02 of the MDD.

Other Matters

14. The Council have suggested an alternative location for the garage. That is not the proposal subject to this appeal. However, I note that while the suggested alternative would be within the existing residential curtilage, the impact on character and appearance would be broadly similar.

Conditions

15. The Council have suggested conditions, which the appellant has been made aware of and raised no objection to. I have considered the suggested conditions and amended them as necessary, in the interests of precision and clarity, and in order to comply with advice in the Planning Practice Guidance.
16. A condition specifying the approved plans is necessary to provide certainty and in the interests of the character and appearance of the site and surrounding area. The council suggested a separate condition regarding materials. As the proposed materials are clearly specified in the plans hereby approved this was not necessary and has not been applied. The proposal has been approved on the basis of the building being a garage to serve the needs of the dwelling. As the building is large, it is necessary and reasonable to apply a condition to ensure that it remains available for the parking of vehicles and is not used separately to the dwelling. To achieve this, I have combined two conditions suggested by the council.

Conclusion

17. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, the appeal is allowed.

Helen Davies

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin no 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 drawings: 2617-03 and 2617-04B
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the development hereby permitted shall be kept available at all times for the parking of vehicles and storage in association with the residential use of the site and shall not be converted to living space. The development shall not be used for business purposes, nor shall it be occupied, leased, sold or disposed of separately to the dwelling.

*****End of Conditions*****