
Appeal Decision

Site visit made on 4 October 2016

by Alex Hutson MATP CMLI MARborA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 October 2016

Appeal Ref: APP/E0345/W/16/3149180
51 Cressingham Road, Reading RG2 7RX

- 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 Morningwood Developments Ltd against the decision of Reading Borough Council.
 - The application Ref 152016, dated 10 November 2015, was refused by notice dated 13 January 2016.
 - The development proposed is "Demolition of existing house and garage. Erection of 4 new dwellings".
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Decision

1. The appeal is dismissed.

Preliminary matters

2. One of the reasons for refusal set out in the Council's decision notice relates to a lack of a contribution towards affordable housing provision in the Borough. The Council, having considered the appellant's viability assessment, has confirmed that they wish to withdraw this reason for refusal. I have therefore not considered this matter any further and have determined the appeal on this basis.
3. The appellant has submitted a number of revised plans¹ as part of the appeal, in respect of the design of the proposed dwellings and the proposed parking arrangement in an attempt to overcome some of the concerns of the Council. However, these revised plans are substantially different to those plans considered by the Council and consulted upon as part of the original planning application. The revisions to the roof design would result in a substantially different appearance of the proposed dwellings when compared to the original plans. The amendments to the car parking layout would relocate two parking spaces from the rear of the proposed dwelling on Plot 1 to the front of this dwelling.
4. Having regard to the 'Wheatcroft Principles' it would therefore be unreasonable for me to accept these revised plans given that it may deprive the consultees of the original proposal the opportunity to provide representations on the amendments. In addition, the Council has not provided an assessment of the merits or otherwise of these revised plans.

¹ 3308/200 Rev B, 3308/201 Rev B, 3308/202 Rev B, 3308/203 Rev B, 3308/204 Rev B and 3308/207/B

5. Furthermore, the Procedural Guide for Planning Appeals – England dated 31 July 2015, in Annexe M paragraph M.1.1, sets out that a fresh planning application should normally be made if an applicant thinks that amending their application proposals will overcome the local planning authority's reasons for refusal.
6. The appellant has also submitted some revised plans² as part of the appeal, to correct some inconsistencies between the original site plans/floor plans and proposed elevations. The Council raises no objections to these plans forming part of the appeal. Given that the revisions to the elevation plans show an accurate representation of the proposal, consistent with the original site plan/floor plans, I am satisfied that my acceptance of the plans would not compromise or prejudice the interests of any third parties. I have therefore considered the appeal on the basis of these revised plans.

Main issues

7. The main issues are the effect of the proposal on the character and appearance of the area; the effect of the proposal on highway safety; and the effect of the proposal on the living conditions of the occupiers of 53 Cressingham Road with particular regard to outlook.

Reasons

Character and appearance

8. The appeal site comprises a detached, arts and crafts style dormer bungalow set within a generously sized plot and is located on the corner of Cressingham Road and Birdhill Avenue. Cressingham Road slopes steeply down to the west of the appeal site and as such, it occupies an elevated position along this road. The wider area is predominantly residential in character. Dwellings along Cressingham Road display a variety of architectural styles and include detached bungalows and detached and semi-detached two-storey houses. Many of these are tightly spaced. Dwellings along Birdhill Avenue typically comprise detached, tightly spaced bungalows. These bungalows are set back a generous distance from the road frontage and display a strong and defined building line.
9. The appeal site provides a considerable sense of space and openness at the junction of Cressingham Road and Birdhill Avenue and reflects the spatial characteristics of 47 Cressingham Road, a detached dwelling also set within substantial grounds on the opposite corner of Cressingham Road and Birdhill Avenue. The spatial qualities afforded by the appeal site and No 47 provides considerable visual relief within an otherwise heavily built up area and provides an attractive entrance into Birdhill Avenue.
10. The hipped roof form of the appeal property, its central positioning with the appeal site and its overall form, including low eaves and dormer windows, considerably reduces its overall scale and prominence in the streetscape. This is particularly important given its elevated position and its context with the bungalow, No 53, to the immediate west and with the bungalows to the south along Birdhill Avenue, all of which also display hipped roofs. In addition, the setback of the appeal property from Birdhill Avenue is broadly consistent with the building line along this road. These factors contribute greatly to the spatial qualities of the appeal site and the immediate area.

² 3308/203 Rev C and 3308/204 Rev C

11. Substantial levels of vegetation around the boundaries of the appeal site and within the grounds of No 47 also add a strong verdant quality to the immediate locality and to the junction of Cressingham Road and Birdhill Avenue. A protected Scots Pine, located within the south-east corner of the appeal site, is a particularly noticeable landscape feature in public views, as is a large tree growing within a grass verge along Birdhill Avenue to the immediate east of the appeal site.
12. I therefore consider that the spatial and verdant qualities afforded by the appeal site strongly and positively contribute to the character and appearance of the area.
13. The proposal seeks to replace the appeal property with two pairs of two-storey semi-detached dwellings. I acknowledge that the proposed dwellings would reflect, to some extent, the scale and rhythm of dwellings along the wider length of Cressingham Road. They would also maintain a good level of separation from the bungalows along Birdhill Avenue. I also note that the proposed materials would be sympathetic to the materials displayed by other dwellings in the area.
14. Nevertheless, the proposed dwellings would be of a considerably greater scale, bulk and massing than that of the appeal property and would occupy a considerably larger footprint which would extend into part of the existing front, side and rear garden areas. In addition, the proposed dwelling on Plot 1 would extend considerably forward of the well defined building line along Birdhill Avenue. The noticeable stepping forward of this building line would be further accentuated by the uncharacteristic and bulky gable end of this proposed dwelling when viewed from along Birdhill Avenue. This gable end and the gable end of the proposed dwelling on Plot 4 would also appear considerably at odds with the characteristic hipped roofs of the bungalows along Birdhill Avenue and the bungalow at No 53.
15. Moreover, the parking spaces that would be provided to the rear of the proposed dwelling on Plot 1 would necessitate the removal of the visually important and protected Scots Pine and would occupy a large proportion of the rear garden of this dwelling, limiting any scope for meaningful replanting. It is also unclear whether any crossover required to access these parking spaces could be constructed without any harm to and subsequent demise of the tree growing within the grass verge along Birdhill Avenue, given its close proximity to the appeal site.
16. In light of the above, the proposal would therefore result in an overly prominent, uncharacteristic and cramped form of development that would substantially reduce the important spatial and verdant qualities of this part of Cressingham Road and Birdhill Avenue. This would fail to respect the local distinctiveness of the area. Consequently, the proposal would result in significant harm to the character and appearance of the area. This is notwithstanding that the appeal site is not subject to any heritage designations.
17. I acknowledge the figures relating to density supplied by the appellant. Nevertheless whilst the increase in density may reflect that of some other plots locally and would, in principle be supported by local and national policy, this does not mean that the relationship of the proposed dwellings to their surroundings would be satisfactory for the reasons that I have already given.

18. The proposal would therefore be contrary to Policies CS7- Design and the Public Realm, CS15- Location, Accessibility, Density and Housing Mix and CS38- Trees, Hedges and Woodlands, of the Reading Borough Local Development Framework Core Strategy 2008 with Alteration Adopted 2015 (Core Strategy); and Policy DM11- Development of Private Residential Gardens, of the Reading Borough Local Development Framework Sites and Detailed Policies Document 2012 with Alteration Adopted 2015 (SDPD). These policies require, amongst other things, development to be of an appropriate density having regard to the characteristics of an area, to be of a high quality design that maintains and enhances the character and appearance of the area, to be of a layout that integrates with the surrounding area including in respect of building lines and to protect trees of importance.
19. These policies are, in this regard, consistent with the broad aims and objectives of the National Planning Policy Framework (the Framework) that seek planning to take account of the different roles and character of different areas, to resist inappropriate development of residential gardens where it would cause harm to the local area and to set out an approach to housing density to reflect local circumstances.

Highway safety

20. The Council raises a concern that the location of the rear car parking area associated with the proposed dwelling on Plot 1 would be remote from the entrance to this dwelling. In the Council's opinion, this would likely lead to any future occupiers parking close to the junction of Cressingham Road, a classified road, and Birdhill Avenue, for convenience, such as when unloading shopping or children from a car. Nevertheless, where I observed parking availability near to this junction, it did not appear to be significantly closer to the location of the front door of this proposed dwelling than the proposed rear car parking area would be. It is therefore unlikely, in my opinion, that the location of the rear car parking area would lead to an increase in on-street parking near the junction that would compromise highway safety.
21. However, I do share the Council's concerns in respect of the uncertain relationship between the proposed new front vehicular access and a pedestrian refuge located on Cressingham Road to the front of the appeal property, given that the pedestrian refuge has not been shown on any submitted plans. In addition, the submitted plans do not demonstrate that a visibility splay of 2.4m x 70m could be achieved at this vehicular access to comply with the Council's standards set out in their Geometric Design Guidance for Residential Accesses on to Classified Roads 2011.
22. I cannot therefore be confident, based on the evidence before me, that the proposal would provide adequate access arrangements to ensure the safe entering and leaving of any vehicles. Without any substantive evidence to demonstrate otherwise, I conclude that the proposal would result in significant harm to highway safety along this section of Cressingham Road.
23. This would be contrary to Policies CS7 and CS20- Implementation of the Reading Transport Strategy, of the Core Strategy; and Policies DM11 and DM12- Access, Traffic and Highway Related Matters, of the SDPD. These policies require, amongst other things, development to create a safe environment, to contribute to improved transport safety, to include access which meets appropriate highway standards and, in respect of a new access

onto a classified road, not to compromise the safe movement of traffic or the safe use of the road. These policies are consistent with the broad aims and objectives of the Framework which require a safe and suitable access to the site for all people.

24. The Council also cites conflict with Policy CS24- Car/Cycle Parking, of the Core Strategy, which requires the application of maximum parking standards. However, given that the proposal would provide 8 off-street car parking spaces in accordance with the Council's parking standards set out in the Reading Borough Revised Parking Standards and Design Supplementary Planning Document 2011, I do not consider that the proposal would conflict with this policy.

Living conditions

25. No 53 has a large rear bay window which faces down the large rear garden of this property and a smaller side window which faces the appeal site. The evidence suggests that these two windows serve a kitchen. I observed that the smaller side window already faces some dense vegetation, at close proximity, growing along the western boundary of the appeal site. This is likely to already substantially reduce the level of outlook from this window, particularly given that No 53 is set at a lower level than the appeal site. I also observed that a number of large trees, some of which appeared to be evergreen species, are growing along the western boundary of the appeal site to the south-east of and in close proximity to the rear bay window. These trees are likely to feature in views from the rear bay window of No 53 when looking in a south-east direction. They are also likely to provide a considerable level of enclosure to the part of the garden to the immediate rear of No 53.
26. Any views of the proposed dwelling on Plot 4 from the rear bay window of No 53 would be at an oblique angle and would largely replace the existing view of the evergreen trees. In addition, a kitchen is generally not considered to be a main habitable room. As such, the outlook from this room is unlikely to be as important to the occupiers of this dwelling as the outlook from a main habitable room, such as a living room, where they are more likely to spend a greater amount of time relaxing and enjoying any views from the windows that serve such a room. Moreover, the main aspect of the rear bay window, which faces down the rear garden, would be largely unaffected.
27. Furthermore, the proposed dwelling on Plot 4 would be set back from the western boundary of the appeal site where it adjoins the rear garden of No 53 by approximately 2 metres and would extend along only a modest proportion of the overall rear garden length of this property. As a result, it would not, in my opinion, result in any noticeably greater level of enclosure to the part of the garden to the immediate rear of No 53 than the level of enclosure currently provided by the evergreen trees.
28. Having regard to these factors, I do not consider that the proposal would result in an overbearing form of development that would materially affect the outlook obtained from the rear bay window, the smaller side window or the rear garden of No 53. Consequently, I consider that it would not result in harm to the living conditions of the occupiers of No 53 in this regard.
29. The proposal would therefore comply with Policy CS15, of the Core Strategy; and Policies DM4- Safeguarding Amenity and DM11, of the SDPD. These

policies require, amongst other things, development not to cause a significant detrimental impact to the living conditions of existing occupiers including in respect of visual dominance or overbearing effects. These policies are consistent with the broad aims and objectives of the Framework that seek planning to secure a good standard of amenity for all existing occupants of land and buildings.

Other matters

30. I acknowledge a number of third party concerns, including those relating to ecology and living conditions matters in respect of sunlight and privacy. However, the Council did not object to the proposal on living conditions grounds beyond the effects on outlook and based on the evidence before me and my own observations, I have no substantive reasons to consider otherwise. With regard to ecology, the Council did not raise any concerns in this regard and I am satisfied that the submitted ecological assessment adequately demonstrates that there are unlikely to be any protected species that would be affected by the proposal.
31. I note that the appellant's sets out that the proposal would provide a good standard of living accommodation and external amenity space for any future occupiers. I have no reason to doubt that the proposal would occupy a location with a good level of access to local services and facilities and would be built to high energy efficiency standards. I also accept that the proposal would make a contribution, albeit a limited contribution, to housing supply in the Borough and would make a more efficient use of the land. Nevertheless, the harm I have found to the character and appearance of the area and to highway safety would significantly and demonstrably outweigh these benefits.

Conclusion

32. Whilst I have not found harm in respect of living conditions, I have found harm in respect of the character and appearance of the area and highway safety along Cressingham Road. The harm so caused would be significant and would clearly and demonstrably outweigh any benefits. Therefore, for the reasons set out above and having regard to all other matters, I conclude that the appeal should be dismissed.

Alex Hutson

INSPECTOR