

Appeal Decision

Site visit made on 22 November 2016

by Rory Cridland LLB (Hons)

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

Decision date: 28 December 2016

Appeal Ref: APP/E0345/W/3154081

25 Woods Road, Caversham, Reading RG4 6NA

- 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 S Rourke against the decision of Reading Borough Council.
 - The application Ref 150889, dated 20 May 2015, was refused by notice dated 18 February 2016.
 - The development proposed is for a new house.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

3. The main issues are:
 - (i) the effect of the proposed development on the character and appearance of the surrounding area;
 - (ii) the effect of the proposed development on the living conditions of occupiers of No 25 Woods Road with particular regard to outlook; and
 - (iii) whether the proposal makes adequate provision for affordable housing.

Reasons

Character and appearance

4. The appeal site is located at the eastern end of a residential cul-de-sac characterised by mostly large detached properties in a mixture of styles set in generous plots. All of the properties front onto the road and it has a pleasant and spacious feel. The appeal site itself previously formed part of the garden of No 25 and is currently separated from that property by a close boarded wooden fence which gives a clear indication of the resultant plot sizes.

5. Policy CS7 of the Reading Borough Core Strategy ¹ (CS) requires all development to be of a high design quality that maintains and enhances the character and appearance of the area. Furthermore, Policy DM11 of the Sites and Detailed Policies Document (SDPD) (2012)² requires proposals for residential development in the gardens of existing dwellings, both current and former, to make a positive contribution to the character of the area.
6. The appeal site would be accessed from Woods Road. However, its siting, orientation and the overall rhythm would appear better integrated with that of the nearby development to the eastern end of Orchard Road, the southern boundary of which sits adjacent to the appeal site. This, together with its backland location, helps ensure that any impact on the street scene is limited.
7. Nevertheless, while I acknowledge that the proposal is acceptable in terms of its design, materials and architectural composition, its siting on a plot which is considerably smaller than almost all of those surrounding it would be out of keeping with the existing pattern of development. Its height and scale would dominate the site and this, together with the proposed parking to the front, would give the appearance of a cramped and overdeveloped site. This would have a significantly negative impact on the immediate surroundings and would be harmful to the character of the wider area.
8. Consequently, I find that the proposal would appear cramped and overdeveloped and, as such, would fail to maintain, enhance or make a positive contribution to the character and appearance of the area. This would be contrary to Policy CS7 of the Core Strategy and DM11 of the SDPD.

Living conditions

9. The proposed dwelling would be situated around 9 metres from the rear of No 25. As a chalet bungalow, this property sits in contrast to many of the surrounding properties which appear both larger and more imposing. However, the separation distances from its larger neighbours helps ensure that they do not appear overbearing. The closing of the gap between the properties in Orchard Road and No 25 would materially alter the outlook from the rear of that property. It would introduce a two storey dwelling in close proximity to the boundary which would appear dominant and overbearing. This would be harmful to the living conditions of occupiers of that dwelling.
10. Although I acknowledge that in view of the buildings orientation and the lack of windows in its side elevation, levels of privacy will not be affected, this does not overcome the harm identified above.
11. Consequently, I find that the proposal would be harmful to the living conditions of occupiers of neighbouring No 25. This would be contrary to Policy DM4 of the SDPD which, amongst other things, seeks to safeguard the amenity of occupiers of existing properties.

Affordable housing

12. Policy DM6 of the SDPD and the Council's Supplementary Planning Document on affordable housing³ require a financial contribution to be provided towards

¹ (2008) with alteration adopted 27 January 2015

² Reading Borough Local Development Framework Sites and Detailed Policies Document (2012).

³ (2013)

affordable housing elsewhere in the Borough. The appellant has not provided a signed planning obligation and, as such, the proposal does not accord with Policy DM6.

13. However, following the Court of Appeal's judgement on 13 May 2016⁴, the Written Ministerial Statement of 28 November 2015 has been reinstated and once again forms a part of national planning policy. It indicates that contributions should not be sought from developments of 10 units or less and is a material consideration to which I attach significant weight. There is no evidence before me which would indicate that specific local circumstances would justify a lower threshold and, as such, I cannot be satisfied that a contribution is justifiable in the present case.
14. Consequently, I consider that the proposal accords with national planning policy which, based on the evidence before me, outweighs the requirements of Policy DM6 in this instance.

Conclusion

15. For the reasons set out above, I conclude that the appeal should be dismissed.

Rory Cridland

INSPECTOR

⁴ Secretary of State for Communities and Local Government v. West Berkshire District Council and others [2016] EWCA Civ 441