
Appeal Decision

Site visit made on 15 June 2017

by Gareth W Thomas BSc(Hons) MSc(Dist) PGDip MRTPI

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

Decision date: 12th June 2017

Appeal Ref: APP/E0345/W/17/3168768

65 Peppard Road, Caversham, Reading RG4 8NH

- 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 Hill Tower Ltd against the decision of Reading Borough Council.
 - The application Ref 160527, dated 18 March 2016, was refused by notice dated 4 November 2016.
 - The development proposed is for the erection of detached 2 houses.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A signed Unilateral Undertaking was submitted by the appellants during the course of the appeal. The views of the Council were sought and who subsequently confirmed that it overcomes the fourth reason for refusal. This issue is dealt with under other matters below.

Main Issues

3. The main issues in this appeal are the effects of the development on the character and appearance of the area and on local biodiversity interest.

Reasons

Character and appearance

4. The appeal site forms part of the garden serving No.65 Peppard Road. The host property is a large detached property occupying relatively spacious grounds containing a number of mature trees. The area is characterised by substantial detached properties set back from the main tree lined road giving an attractive verdant character. The appeal property benefits from one of the largest gardens along this road, which amounts to a depth of some 63m.
 5. The proposal would see the erection of two 1.5 storey chalet bungalow style dwellings to the rear of No.65, which would share a proposed new access onto Peppard Road following closure of the existing access serving the host property. The Council does not object to the design of the dwellings and I would concur with this view.
 6. Policy DM11 of the Reading Borough Local Development Framework Sites and Detailed Policies Document 2012 (Altered) (the 'DPD') lends support for residential development within the curtilages of private residential gardens
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where it does not create unacceptable tandem development. Whilst the appellants criticise the Council's approach for lack of site analysis and character assessment, I found that the overriding character of this part of Peppard Road together with the adjoining side streets of Picton Way and Balmoral Drive is defined by dwellings having a strong frontage and presence in the street scene. This characteristic is also strengthened by the spaciousness of plots generally, which have matured to give an attractive and distinctive sylvan quality. There is very little evidence in the immediate locality of infilling having taken place with the result that this overriding characteristic has not been significantly denuded.

7. The appellants' analysis of the resulting change in density would be fairly consistent with what is found locally, whilst the plots would have reasonable garden depth. This was also the view of an Inspector in an appeal at 3 Grosvenor Road¹ that has been cited by the appellant. The details of this appeal are not before me. However, the Inspector was able to draw upon other areas in the immediate area that have seen the development of backland plots. Although there will always be some similarities between housing developments, I am satisfied with what I have read that the two sites are not readily comparable and in any event, each case needs to be considered on its individual merits.
8. Policy CS7 of the Reading Borough Local Development Framework Core Strategy 2008 (Altered 2015) (the 'CS') requires that new developments are designed to maintain and enhance the character and appearance of the area. This in my view is an acknowledgement of the importance given to layout considerations that should be respectful of the urban grain in terms of width, depth and shape. Although the appellants suggest that only glimpsed views of the proposal would be available, the cul de sac arrangement as proposed in the context of Peppard Road would in my view represent an undesirable form of backland development, which would unacceptably intrude into a parcel of land that together with adjoining garden areas are attractive and devoid of buildings.
9. The proposal would therefore fail to make a positive contribution to the character of the area and very seriously undermine the urban grain and rhythm of plot frontages in the area thereby representing an alien built form in this locality. Whilst the appellants maintain that this would be an isolated development opportunity, I do not necessarily accept that it would not be repeated on adjoining plots to the south, which would lead to further degradation of the prevailing character.
10. The Council has also raised concerns about the impact on trees both within the highway (two young category C trees) that would be felled/relocated in order to create the proposed access and to the sensitivity of certain trees within the appeal site to works involved with the laying of services. Moreover, the presence of mature trees both within the site and adjoining garden areas may result in pressure from future occupiers of the two properties for their felling or pruning. Finally, the Council has expressed concerns relating to the potential harm to a mature oak tree on the Peppard Road frontage and a protected beech tree at No.1 Picton Way.

¹ APP/E0345/A/12/2184074

11. The appellants' Arboricultural Report concludes that the principal trees can be retained and adequately safeguarded during construction whilst the Council's statement of case concedes that appropriate measures for tree protection could be the subject of appropriate conditions were I to find in favour of the proposal. There is no evidence at this time that pressures for felling of existing trees located in the vicinity of the two plots will inevitably ensue. Whilst the loss of the two immature trees along Peppard Road is regrettable, there are opportunities for their replanting outside the visibility splay. Consequently subject to conditions requiring a landscaping scheme, a Tree protection Plan, details of provision of underground services and an Arboricultural Method Statement, the proposal would not have a harmful effect on trees.
12. Although I have found in favour of the development in terms of its effects on trees and in this regard the proposal would satisfy objectives set out in Policy CS38 that seeks to ensure that trees are protected from damage or removal, this does not override the harm that I have identified in terms of tandem development. As a consequence, whilst the site would be located in a highly sustainable area where housing developments should be promoted in line with Government policy to significantly boost housing supply, I consider that the specifics of the appeal proposal would relate poorly to the current arrangement of housing and detract from the character and appearance of the local area contrary to Policy DM11 of the DPD and CS Policy CS7.

Effects on Biodiversity

13. Policy DM11 of the DPD sets out to prevent fragmentation of a block of gardens, which in combination make an important contribution to biodiversity. The appellants submitted two ecology reports that confirmed that the site is unlikely to host protected species. From the evidence, there does not appear to be any significant biodiversity interest. Whilst the relevant policy seeks to prevent fragmentation of garden areas, I agree with the appellant that this policy would be of greater relevance in areas where there are a number of gardens involved that together are sufficient to provide suitable wildlife habitats. From what I saw during my site visit, the site is surrounded on all sides by existing development and well-manicured garden areas.
14. Consequently, there is no evidence to suggest that there would be any adverse effect on ecology that it would conflict with paragraph 118 of the National Planning Policy Framework. In terms of fragmentation of suitable blocks of garden areas, the nature of the appeal site and surrounding area would not be in conflict with Policy DM11.

Other matters

15. A signed Unilateral Undertaking (UU) has been provided that covenants to the making of a financial contribution towards off-site affordable housing provision. However, following a Court of Appeal judgement, the Written Ministerial Statement (WMS) of 28 November 2014 stating that for sites supplying less than 10 houses, or 5 in certain rural areas, contributions towards affordable housing should not be sought has been reinstated.
16. The UU responds to the Council's concerns in relation to affordable housing provision and also to its robust evidence of problems of lack of affordable housing provided at the local level. However, as I am dismissing this appeal on the substantive grounds set out in the Council's decision notice, I do not need

to dwell heavily on this issue. The presence of a signed UU does not therefore weigh heavily in favour of the proposed development and does not override the harm that I have identified.

17. Neighbours to the development consider that the proposed development would result in a loss of outlook and light and result in a reduction in privacy levels through overlooking. However having visited the site and looked at the prevailing conditions and the spacious arrangement of houses locally, I do not consider that the two well designed 1.5 storey dwellings would harm living conditions in any way. I also note that the Council did not raise these concerns at the application stage.
18. Local representations have also been made as to the possible effects on highway safety. However, the access to the site can be provided to a standard that satisfies the local highway authority and I do not consider that the proposal would seriously harm conditions of highway safety.

Conclusion

19. Accordingly, for the reasons given above, and having regard to all other matters raised I conclude that the appeal should be dismissed.

Gareth W Thomas

INSPECTOR