



Appeal Decision

Site visit made on 13 June 2019

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 02 September 2019

Appeal Ref: APP/E0345/W/19/3222966

62 Manchester Road, Reading RG1 3QN

- 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 Wazir Hussain against the decision of Reading Borough Council.
 - The application Ref 181533, dated 29 August 2018, was refused by notice dated 29 November 2018.
 - The development proposed is conversion of existing commercial basement to a 1-bed flat (Class C3).
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the description of development in the Council's decision notice as it is more precise.
3. At the site visit, the appellant had undertaken some works which included the introduction of two new lightwells serving the proposed living space. These windows were not included on the application plans, and as a result, I have requested the Council's opinion on the new windows and have taken account of them in my decision.
4. The National Planning Policy Framework (the Framework) was updated in February 2019, and I have taken account of it in this decision.

Main Issue

5. The effect of the proposal on the living conditions of future occupiers in relation to access to daylight, outlook and external space.

Reasons

6. The appeal site is a basement forming part of 62 Manchester Road, which is a retail unit on the ground floor with a residential dwelling above. The surrounding area is in predominantly residential use, arranged in two storey terraced blocks.
7. The basement has been in use as storage space ancillary to the ground floor retail unit. Planning permission was granted for an extension to the basement in April 2018 which was to serve the retail unit on the ground floor.

8. The proposal would result in the creation of a 1 bed flat with a bedroom, shower room and an open plan kitchen, living and dining room (the living area). The flat would extend to 33.2sqm, with an area of outside space where the external steps from street level down to the front door would also be located.
9. The appellant has referred to a Daylight Assessment which was submitted with the appeal documents. The assessment does not consider sunlight and the appellant in their final comments state that in this regard *'it may well be true that the windows would be shaded for parts of the day'*. I have considered the content of the report and note that at para 1.3 it states that there is *'no existing specific National Planning Policy relating to levels of daylight and sunlight in proposed dwellings'*. I also note that whilst the report indicates that the living area and bedroom would receive adequate levels of daylight from the lightwell in the bedroom and window to the living area, it is not clear to me whether the results represent an average picture over the course of a year, based on a range of values, or whether they are taken as a 'worst case' scenario, i.e. during the winter months on an overcast day. I therefore cannot give significant weight to the report as I consider it to have some shortcomings in this regard.
10. At the site visit, I considered the submitted plans and new window openings alongside the Daylight Report, but I remain unconvinced of the merits of the proposals in relation to the levels of daylight achievable within the proposed flat, particularly as there would be areas of the flat that would clearly have comparatively little daylight.
11. In parallel, I have also considered the outlook from the proposed flat. There would be no views from the bedroom or living area lightwells. The outlook from the window and door to the living area facing the external yard would be very restricted and enclosed. In my view, the proposed flat would have a poor outlook overall and strong sense of enclosure as a result of its subterranean position and size, together with the high brick wall that already exists above the ground floor. I consider the proposed flat would not provide satisfactory living conditions for future occupiers, contrary to Policy DM4 (Safeguarding Amenity) of the Reading Borough Local Development Framework Sites and Detailed Policies Document (2012) (SDPD) which seeks to ensure that living conditions in new development is acceptable for future occupiers.
12. I note the appellant accepts that the external yard area would be 'moderately deficient' (para 3.9) in terms of its size. They also state that the external yard area would be landscaped, and I accept it would be possible to soften its appearance. However, I consider the proposed level of hard surfacing, small size and strong sense of enclosure would count against the proposal. Taken together with the shortcomings of the Daylight report, I consider the proposed flat would not provide satisfactory living conditions for future occupiers in relation to the external space, contrary to Policy DM10 (Private and Communal Outdoor Space) of the SDPD which seeks functional external space that provides sufficient areas to sit out and provide drying space amongst other things.

Other Matters

13. The appellant has highlighted that many dwellings in Reading do not have an external space like the one proposed, and that this is a benefit in favour of the

scheme. However, the appellant has not provided specific examples of such properties, nor demonstrated how they are comparable with the appeal site. Given the shortcomings I have identified in relation to daylight and outlook, I consider the existence of poorer external spaces in relation to other dwellings within the Borough does not overcome my concerns. In any case, I have determined this appeal on its own merits.

14. The appellant states that the site is located close to Palmer Park, but I have no information on how close this area is.
15. At 3.11 of the appellant's statement, they state that the proposal would be an 'affordable smaller unit', but there is no evidence before me that the flat would be affordable in terms of proposed rental or sales values.
16. I also note the case made by the appellant that he is an established landlord who is committed to providing an acceptable living environment for future occupiers. Whilst I do not doubt this, it does not overcome the concerns I have set out.
17. I do consider there would be some benefits associated with the construction and ongoing occupation of the flat, and I also note that the principle of the location for new residential development is not in dispute between the parties. However these benefits are small, given the size of the proposal and the lack of objection in this regard does not outweigh the harmful factors I have identified.

Conclusions

18. Having regard to all matters raised, I consider the appeal is dismissed.

Sian Griffiths

INSPECTOR