The Planning Inspectorate

Appeal Decision

Site visit made on 23 September 2019

by Mrs H Nicholls MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2019

Appeal Ref: APP/E0345/W/19/3231881
Post Box 10m From The Horncastle, 208 Bath Road, 6m From New Lane Hill, New Lane Hill, Tilehurst, Reading RG30 2HJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Bull Luxury Living Ltd against the decision of Reading Borough Council.
- The application Ref 190148, dated 25 January 2019, was refused by notice dated 28 May 2019.
- The application sought planning permission for the erection of one new dwelling at the rear of the Horncastle public house on New Lane Hill without complying with a condition attached to planning permission Ref 162366, dated 5 December 2017.
- The condition in dispute is No 2 which states that: The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No: 8616-PL-01 dated 21 December 2016, Drawing No: 8616-PL-02 dated 21 December 2016, Drawing No: 8616-PL-03 Rev F dated 9 November 2017, Drawing No: 8616-PL-04 Rev F dated 9 November 2017, Drawing No: 8616-PL-05 Rev C dated 22 May 2017, Drawing No: 8616-PL-06 Rev D dated 10 October 2017, Drawing No: 8616-PL-07 Rev D dated 10 October 2017 and Drawing No: 0319 L1 Rev F dated 13 November 2017.
- The reason given for the condition is: because permission is granted in respect of the development as detailed in the approved plans only.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the Horncastle Conservation Area and whether the proposal would make an adequate provision for affordable housing to accord with the relevant policies of the development plan.

Reasons

Horncastle Conservation Area (CA)

3. The appeal site lies on the outskirts of the CA and becomes visible from the junction of Bath Road and New Lane Hill, offside and to the rear of the former public house. I am required under Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.

4. The CA is characterised by a central area of grassed open space attractively framed on the east and south sides by a collection of small scale domestic

properties of traditional vernacular. The area has a peaceful rural quality despite its proximity to the busy A4 road network.

5. There is an extant permission for the construction of a two storey dwelling on the appeal site which did not appear to have commenced at the time of my site visit. Whilst the dwelling detailed in those approved plans would appear to be at the larger end of the scale relative to properties in the surrounding area, it has been sensitively designed to minimise its bulk and massing from the main public views.

6. The appeal proposal seeks to introduce another first floor projection on to the rear of the dwelling to accommodate a fourth bedroom. The proposal would result in the dwelling having two large gable projections on the rear, albeit of different depths, and a further rearward projection at ground floor level.

7. Owing to its scale and siting, the proposal would result in the dwelling being noticeably bulkier than dwellings in the surrounding area, not assimilating well with their generally smaller scale proportions. Whilst the extant scheme would have rearward projections at both first and ground floor levels, the addition of the appeal proposal would create a further imbalance and an appearance of the dwelling having a convoluted arrangement of add-ons. Furthermore, owing to its proximity to the public highway and the large extent of additional mass that would be visible in views therefrom, the proposal would form an incongruous feature in the street scene.

8. In view of this main issue, the proposal would harm the character and appearance of the Horncastle CA and would therefore conflict with Policies CS7 and CS33 of the Reading Borough Core Strategy 2008 (altered 2015). Amongst other things, these policies seek to ensure that new development has no adverse impact on historic assets and their settings and maintains and enhances the character and appearance of the area in which they are located.

Affordable housing provision

9. The extant permission provides for a contribution towards affordable housing by way of a legal obligation made under Section 106 of the Town and Country Planning Act 1990.

10. The appellant indicates that the affordable housing provision is already secured by the extant permission, negating the need to address the matter again as part of the appeal proposal.

11. Whilst the application seeks to vary a condition on an extant permission, the effect of allowing the appeal would be to create a new standalone permission. As the existing S106 refers only to the extant consent and there is no deed of variation before me, the appeal proposal would fail to deliver the affordable housing contribution.

12. In view of this main issue, the proposal would not make an adequate provision for affordable housing and would therefore conflict with Policy DM6 of the Reading Borough Sites and Detailed Policies Document 2012 (altered 2015), which seeks to secure a financial contribution from schemes of 1 to 4 dwellings to enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the Borough.

Planning balance and conclusion

13. The proposal would impact upon the CA although the harm identified would amount to "less than substantial harm" which the National Planning Policy Framework (the Framework) advises must be weighed against the public benefits of the scheme.

14. The proposal would deliver a larger dwelling to the housing stock than that originally permitted. Whilst this would be both socially and economically beneficial, any improvement to the wider housing stock would not outweigh the harm to the appearance of the Horncastle CA or to the affordable housing stock in the Borough.

15. I therefore conclude that the proposal would conflict with the development plan considered as a whole and would also fail to comply with national policy outlined in the Framework.

16. For the above reasons, the appeal is dismissed.

Hollie Nicholls

INSPECTOR