
Appeal Decision

Site visit made on 6 November 2019

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th November 2019

Appeal Ref: APP/X0360/W/19/3233218
316 London Road, Wokingham RG40 1RD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Sarbjit Labana against the decision of Wokingham Borough Council.
 - The application Ref 183418, dated 6 December 2018, was refused by notice dated 16 April 2019.
 - The development proposed is demolition of existing detached dwelling and replacement with 3 no 3 bedroom 2-storey dwellings in a terraced block with associated access and parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Outline planning permission is sought with the matters of access, scale and layout to be determined. I have had regard to the details provided in relation to those matters but have regarded elements relating to appearance and landscaping as illustrative. I have determined the appeal on this basis.
3. I have taken the description in the banner heading above from the application form. Although different to that on the decision notice and appeal form, confirmation that any change was agreed has not been provided.

Main Issues

4. Although not included in the refusal reasons, comments are made in the Council's submissions with regard to biodiversity to which the appellant has had the opportunity to respond. Therefore, the main issues of the appeal are the effect of the proposed development on;
 - The character and appearance of the area; and
 - Biodiversity

Reasons

Character and Appearance

5. The appeal property is not centrally positioned in the plot and there is variation in the size of gaps between houses in the area. As such, the spacing between

the proposed terrace, its side boundaries and adjacent dwellings would not be dissimilar to some nearby dwellings. Nevertheless, the scheme would introduce an uncharacteristically wide single block of built form. This would be at odds with the immediate locality of the appeal site which is characterised by a rhythm of development where there is frequent spacing between individual detached dwellings.

6. The gaps either side of the appeal property and others in the streetscene are readily apparent from public areas. This allows views towards the frequent landscaping at the rear. These gaps, along with the wide verge and setting back of the properties from the road give a spacious verdant feel to the streetscene. However, the increased width and bulk of the terrace would disrupt the pattern of regular gaps between properties. This would be incongruous with the nearby built form and erode the spacious feel of the streetscene.
7. Even with the retention of existing landscape features and additional planting, the properties would not be effectively screened for some time, if at all, given the scale of the proposed terrace. The site would appear cramped in comparison to other properties on this side of the road due to the absence of regular spacing between buildings.
8. The parking areas for individual properties in the street are generally separate. Nonetheless, new landscaping proposals would soften the appearance of this shared parking area. Moreover, the proposed open parking area would be similar to the existing arrangement that is clearly visible from the road due to the low-level front boundary fence and limited landscaping at this part of the site. Landscaping is a reserved matter and therefore the possible effect of the altered access on the street tree to the front of the site could be addressed at that stage were the appeal to be allowed.
9. The Council do not raise concerns over the appearance of the dwellings themselves. There is variation in the design of properties in the street and appearance is a reserved matter. Position of the properties would respect the existing building line. While the plots and gardens would be narrower than the neighbouring ones, they would not be dissimilar to some nearby plots on the same side of London Road.
10. My attention has been drawn to other properties in the area. Terrace properties further along London Road are some distance from the site and would not be seen in the same immediate views as the appeal scheme. The modern terrace dwellings are located some distance from the site where they are seen with similar types of properties. While the gaps between properties opposite may be small, the dwellings are detached. This continues the rhythm of regular spaces between properties. Therefore, the examples put to me are not directly comparable to the appeal scheme.
11. The proposal would have an unacceptably harmful effect on the character and appearance of the area. The scheme would be contrary to Policies CP1 and CP3 of the Wokingham Borough Core Strategy Development Plan Document (CS) as well as the Wokingham Borough Council Borough Design Guide Supplementary Planning Document. These, in part require developments to maintain or enhance the high quality of the environment and that they should be appropriate to, and compatible with, the underlying character of the local area in terms of rhythm, scale, mass and built form.

12. It would also fail to accord with the National Planning Policy Framework (Framework) where it states developments should be sympathetic to local character including the surrounding built environment.

Biodiversity

13. The Planning Practice Guidance indicates that an ecological survey will be necessary in advance of a planning application if the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.
14. The Preliminary Ecology Appraisal found gaps externally on the main building that could provide access in to the building and roosting opportunities for bats. In addition, a small number of bat droppings were recorded within the loft, suggesting that the building has, or is, being used as a day roost for low numbers of bats. Three dusk emergence or dawn return to roost surveys were recommended, to assess the current status of roosting bats within the building and to inform appropriate mitigation for the proposed works.
15. The appellant has accepted to undertake the additional surveys highlighted. Nevertheless, without them it is simply not known whether protected species are present and, if there are, whether or what mitigation measures would be appropriate. There is a further question concerning the implementation of any such measures. Given this degree of uncertainty, and the lack of any compelling evidence to suggest the scheme represents the exceptional circumstances required to justify their use, the imposition of conditions requiring the surveys would not be appropriate in this case.
16. The absence of sufficient information means that I cannot rule out potentially significant harm to biodiversity. As such, the scheme would be contrary to Policy CP3 of the CS where it indicates that developments should maintain or enhance the ability of the site to support protected species. Moreover, it would be contrary to the Framework where it states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for then planning permission should be refused.

Other Matters

17. The Council have not raised concerns that they consider could not be mitigated by conditions regarding highway safety, drainage, or the living conditions of nearby residents or future occupiers. Furthermore, they have not questioned the accessibility of the site to services or public transport or the principle of residential development at the site. As I am dismissing the appeal there is no need for me to consider these matters further. In any event the absence of harm is a neutral factor.
18. While any contribution is worthwhile, being for three dwellings the development would only make a modest contribution to the supply and mix of housing in the area.
19. I have found other harm sufficient to dismiss the appeal. Consequently, the development will not take place and thus there would be no resultant effect on the Thames Basin Heathlands Special Protection Area. Therefore, there is no need for me to consider the matter further. Any mitigation would only remove

unacceptable harm and would not weigh in favour of the proposal or alter my conclusions on the other main issues.

20. While I note the appellant has sought to address comments made by the Council in their pre-application advice, I have found harm resulting from the scheme before me.

Conclusion

21. For the reasons given above and having regard to all matters raised, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR