
Appeal Decision

Site visit made on 9 December 2019

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 December 2019

Appeal Ref: APP/E0345/W/19/3236712
85 Cressingham Road, Reading RG2 7RX

- 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 Pavitar Kularia against the decision of Reading Borough Council.
 - The application Ref 180750, dated 3 May 2018, was refused by notice dated 8 March 2019.
 - The development proposed is demolition of existing two storey dwelling/shop and erection of: two storey detached building at front of site: ground floor shop and 2 flats above and two storey building at rear of site: ground floor dwelling with 2 dwellings above at rear of site.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Reading Borough LDF Core Strategy and the Reading Borough LDF Sites and Detailed Policies Document are referred to in the decision notice. Subsequently, these have been superseded by the adoption of the Reading Borough Local Plan (RBLP). I have therefore determined the appeal on the basis of the newly adopted plan.
3. Both main parties have had the opportunity to comment on this change and I am satisfied that no interested party has been prejudiced by this approach. Where any comments have been received, they have been taken into account in my reasoning.

Main Issues

4. The main issues of the appeal are;
 - The effect of the proposed development on the character and appearance of the area;
 - Whether the proposal would provide appropriate living conditions for future occupiers, with particular regard to outdoor amenity space, internal living space and outlook;
 - The effect of the proposed development on highway safety; and
 - Whether the proposal makes appropriate provision for affordable housing.

Reasons

Character and Appearance

5. Cressingham Road is a primarily residential street characterised by two storey properties fronting the road in linear plots. While there is some variation, properties are typically set back from the road with gardens and/or parking areas to the front with more generous outdoor spaces behind. This along with the often wide pavements and verges give an open and spacious feel to the street. The mature vegetation and absence of large scale buildings behind the frontage development creates a verdant feel to the public right of way (PROW) adjacent to the site.
6. Building B would be located to the rear of existing properties. Although there are some buildings located behind the frontage properties, I did not see any residential properties or 2 storey buildings to the rear of existing ones on the nearby streets. Therefore, while it would be of a comparable scale to dwellings in the area and the overall density of the scheme may be in line with local policy, its position would be incongruous with the surrounding pattern of frontage development.
7. Building B would be seen with other properties at a higher level. However, these existing properties are set further back from the PROW reducing their prominence from it. Rather than rounding off this corner plot location, Building B would be incongruous with the open and verdant appearance along this part of the PROW and to the rear of plots nearby. The presence of a building of this size would result in it being a dominant and imposing feature that would be clearly seen from the PROW and the surrounding properties. Given the scale of the rear building the incongruity would also be obvious from Cressingham Road.
8. The rear part of the site is a mostly unused and overgrown space at present. Nevertheless, it is largely screened from views along the PROW and Cressingham Road by boundary treatments. Moreover, the lack of built form to the rear of the existing building allows views over the site and to the greenery along the PROW and beyond.
9. The frontage of the site is already dominated by hardstanding. Nevertheless, the position and amount of additional hardstanding and parking spaces to the rear of Building A would be at odds with the nearby area. In addition, the limited size of the outdoor amenity space would be discordant with the overall open and spacious character of the street. The development would appear cramped in comparison to the nearby development.
10. The proposed landscaping and boundary treatments would partly screen views of the hardstanding and parking areas. Nevertheless, these areas would still be visible from Cressingham Road and nearby properties. The fact that a proposal can be screened is not a reason for allowing development that is inherently unacceptable.
11. The existing building on the site appears in need of some renovation. However, it is relatively discrete in the streetscene being of a similar scale and position to nearby properties. There is some variation to the appearance of the properties on this side of Cressingham Road and Building A would be set back approximately in line with the adjacent ones. The Council have not raised

concerns over the appearance of the proposed frontage building and I see no reason to reach a different finding.

12. My attention has been drawn to plots at Kiln View Road. However, these form part of a cul-de-sac of properties set within their own individual plots. Dwellings have their own separate access and garden space and they are seen with other similar plots. Therefore, they are viewed in a different context to the appeal scheme.
13. Consequently, the proposal would be harmful to the character and appearance of the area. It would be contrary to Policy CC7 of the RBLP where it, in part, seeks to ensure development maintains and enhances the character and appearance of the area in which it is located.

Living Conditions

14. There would be a garden area provided for the ground floor unit in Building B. While smaller than the outdoor spaces at existing dwellings in the area, it would be of sufficient size for this unit. The units above the shop would have Juliette balconies and the mixed use nature of the scheme may reduce the scope for private amenity space. Nevertheless, the lack of private or shared outdoor space for any of the 1 bedroom units would be unacceptable.
15. The proposed floor plans show a bathroom, rather than shower room for the 1 bed flats in Building B. Therefore, their GIA¹ would fall below the 39m² required in the THS². While the appellant suggests these would be 1 person units, the bedrooms would exceed the 11.5m² stated to be the minimum size for a double or twin bedroom in the THS. There is therefore no reason to consider that the dwelling would only be occupied by a single person. The units would then fall well below the 50m² required for a 1 bedroom 2 persons unit in the THS.
16. The proposed residential units would have windows that would allow an appropriate amount of light to enter habitable rooms. The outlook from windows facing the proposed hardstanding, parking and bin storage areas would be directed over them as they would be at a higher level. The ground floor unit proposed would have an outlook towards the PROW and its garden. Therefore, the outlook from the residential units would be acceptable.
17. Notwithstanding this, the proposal would fail to provide appropriate living conditions for future occupiers, with regard to the indoor living space for the 1 bedroom units in Building B and the outdoor space for the 1 bedroom units in both buildings. It would fail to accord with Policy H10 of the RBLP, where it, amongst other things, aims to ensure dwellings will be provided with functional private or communal open space. It would also fail to meet the requirements of the THS.

Highway Safety

18. At the time of my site visit, which I appreciate is only a snapshot in time, Cressingham Road was relatively busy with regular passing traffic. I saw that there were islands in the carriageway near the appeal site and elsewhere along

¹ Gross Internal (floor) Area

² Technical Housing Standards-Nationally Described Space Standard (THS)

the road that would restrict the ability for vehicles to pass those waiting on the road.

19. Certain vehicles may already have to back into the site or wait on the road and no substantive evidence has been presented to me with regard to this having caused accidents at the site. The scheme would also replace the current ad hoc parking layout with a more formal one.
20. Notwithstanding this, the use of the site would be intensified with the additional separate households and a larger retail unit. This would be likely to give rise to more complex and potentially conflicting vehicle movements. The proposed occupiers of the retail unit are unknown and there has been no mechanism presented to me to control the size of vehicles associated with the shop or its stock management.
21. It has not been demonstrated that delivery vehicles linked to the retail or residential units would be able to turn within the site. This would result in vehicles having to reverse on or off the road. There would be additional waste from the site. Without space to turn within it, waste collection vehicles would wait on the highway causing an obstruction for longer than they do at present even if bins were stored in the collection area.
22. The parking provision on site would be marginally below the Revised Parking Standards and Design Supplementary Planning Document. However, in addition to the on-site parking spaces there are on street parking bays. Moreover, there are no on street parking restrictions along large parts of Cressingham Road. I appreciate that at different times of day there may be greater parking demand. Nonetheless, there were spaces available during my visit. Therefore, should the need arise it would be possible for additional vehicles associated with the appeal site to park on the street in relatively close proximity without causing an obstruction.
23. Furthermore, there are nearby services, facilities and public transport. The pedestrian footways and the large number of residential properties nearby mean customers could easily access the shop by modes of transport other than car. These factors would reduce the demand for parking spaces.
24. Nonetheless, the proposal would have an adverse impact on highway safety. As such, it would not accord with Policy TR3 of the RBLP, where it, amongst other things, seeks to ensure developments would not have a detrimental impact on the functioning, and safety of users, of the transport network and that off-street servicing would be provided for non-residential uses.

Affordable Housing

25. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the development plan, unless material considerations indicate otherwise.
26. Policy H3 of the RBLP states that developments of the scale proposed are required to provide a financial contribution towards affordable housing elsewhere in the Borough. This policy is not consistent with the National Planning Policy Framework (Framework) where it outlines that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas. Nevertheless,

the Framework pre-dates the adoption of the RBLP and evidence has been provided of the level of need for affordable housing within the Borough. Therefore, I give the conflict with the Framework limited weight.

27. The appellant does not contend the contribution in principle and intends to offer a Unilateral Undertaking. However, one has not been provided. In the absence of any such mechanism there is no means of securing the contribution. Given the scale of the scheme, the proposal is not a complex or strategically important development. In addition, no exceptional circumstances have been demonstrated. Consequently, as advised in Planning Policy Guidance the use of a planning condition to secure a planning obligation would not be appropriate in this instance.
28. The proposal would not provide an appropriate level of affordable housing. It would fail to accord with Policy H3 of the RBLP and the Affordable Housing Supplementary Planning Document where they require provision from developments of this scale.

Other Matters

29. The refusal reasons do not include impacts on neighbouring occupiers, archaeology, the PROW itself or the accessibility of the site. As I am dismissing the appeal there is no need for me to consider these matters further. Nonetheless, the absence of harm is of neutral weight rather than a benefit of the proposal.
30. The appellant considers the appeal proposal to be preferable to the approved scheme at the site. However, I have found harm from the proposal before me, including elements that were not part of the previous scheme such as the rear building.
31. Given the scale of the proposal the contribution of the development to the supply and mix of housing in the area, along with those associated with biodiversity and natural surveillance would be modest. Even if I were to agree that the site is previously developed land and that the proposal was a more efficient use of land, such benefits do not outweigh the harm I have identified in the main issues.
32. No detailed evidence has been provided regarding the viability of the scheme without Building B or how if undeveloped the rear of the site would become a hazard for flat dwellers. In addition, there is limited information in relation to the demand for the retail element of the scheme.

Conclusion

33. Therefore, for the above reasons, and having taken into consideration all other matters raised, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR