

Appeal Decision

Site visit made on 28 January 2020

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2020

Appeal Ref: APP/E0345/W/19/3239477

Land R/O 578 - 584, Oxford Road, Reading RG30 1EG

- 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 Kingfisher First Ltd against the decision of Reading Borough Council.
 - The application Ref 181404, dated 9 August 2018, was refused by notice dated 1 May 2019.
 - The development proposed is demolition of existing building and erection of two storey building containing 4 x studio flats.
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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 Subsequently, these have been superseded by the adoption of the Reading Borough Local Plan (RBLP).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:
 - Whether the proposed development would provide appropriate living conditions for future occupiers, with particular regard to internal living space, privacy and outlook; and
 - The effect of the proposed development on the character and appearance of the area.

Reasons

Living Conditions

5. At ground floor level there would be large openings on the rear elevation that would allow an acceptable amount of daylight and sunlight to enter the units. In addition, there would be some separation from these openings to the rear boundary. Nonetheless, these would face and open directly on to the shared amenity space. This would severely restrict the attractiveness of the outlook from these units given the mutual views to and from a shared space into the main area of living accommodation.
6. The outlook from the front windows of the proposed flats would be on to the street. While not to the same degree as many nearby properties, there would be some set back from the edge of the pavement. Moreover, this is not untypical of residential areas and I saw examples of such an arrangement in nearby streets.
7. Nevertheless, the arrangement to the rear means that there would not be a satisfactory outlook or level of privacy for future occupiers of the ground floor units.
8. Policy H5 of the RBLP requires new housing to comply with the nationally described space standard (the standards). There is no specific reference to studio accommodation in the standards and I appreciate that these types of units are likely to be of a small size. Nonetheless, the Council's approach has been to consider studio flats as 1 person units. The appellant has not suggested that the units would exceed the minimum size for these. I consider the standards offer a useful point of reference and there has been no alternative measure put to me to evaluate what the appropriate size of a studio flat would be.
9. That a double bed could be accommodated in a studio flat only serves to demonstrate that the level of occupancy could be even greater than the Council's position and emphasises the need to ensure an appropriate level of accommodation is provided.
10. I note comments regarding the housing market and level of need in the area. Nevertheless, there is limited information before me regarding the effect of the Council's approach on the viability and affordability of the scheme or housing provision in the wider context.
11. Consequently, I conclude that the scheme would fail to provide appropriate living conditions for future occupiers, with regard to internal living space, privacy and outlook. It would fail to accord with Policies H5 and CC8 of the RBLP. These, in part, require housing developments to follow certain standards unless it would render the development unviable and prevent unacceptable living conditions for new residential properties with regard to privacy and outlook.
12. It would also be contrary to the National Planning Policy Framework (Framework) where it requires development to provide a high standard of amenity for future users.

Character and Appearance

13. The proposed building would extend across much of the plot width and have a greater footprint than the existing building on the site. Nevertheless, unlike at the rows of terrace properties on nearby streets, I saw that there is no consistency to the scale and appearance of development in this streetscene. There are commercial and residential buildings of varying sizes in the same streetscene with no consistent pattern.
14. The proposed building would be larger than nearby buildings and clearly visible from the street and nearby properties. Nonetheless, the proposed building would be separate from others close by and I see no need for it to appear subservient to them. As such, while the design and scale of the proposed building would not match that of those nearby, neither would it dominate the streetscene.
15. The size and layout of the proposed outdoor space would not reflect the predominant pattern of the terrace properties in the wider area. Nonetheless, I saw that there is greater variation in the plot coverage of the more irregular built form at the side streets in the area, such as where the appeal site is located.
16. The proposal would increase the built form and hard standing at the site. However, there is some separation from the proposed development and the tree in the garden of the adjacent property. While an arboricultural impact assessment has not been provided, given the existing condition of the tree it makes a limited contribution to the character and appearance of the area. Moreover, there are further, much taller trees and other vegetation within nearby plots that add greenery to the area. Planting is proposed within the site and along its frontage. Were the appeal to be allowed, conditions could be added in relation to this.
17. Consequently, the proposal would not harm the character and appearance of the area. It would accord with Policies CC7, H2, H11 and EN14 of the RBLP. These, amongst other things, require developments to maintain and enhance the character and appearance of the area, to be of an appropriate density and protect trees from damage or removal where they are of importance.

Other Matters

18. The Framework seeks to significantly boost the supply of housing and acknowledges that small-scale developments can make an important contribution to meeting the housing requirement and be built out quickly. However, given the scale of the proposal, the contribution to the supply and mix of housing in the borough would be modest. For the same reason benefits associated with the re-use of previously developed land and the removal of the existing building would be limited.
19. During the appeal a planning obligation was submitted, and later revised by the appellant. The Council have confirmed that they are satisfied that this resolves their concerns relating to affordable housing. The contribution towards affordable housing weighs in favour of the scheme. Nonetheless, while any contribution is worthwhile, when taken individually and cumulatively the benefits of the scheme do not outweigh the harm I have identified.

20. I note comments from third parties regarding the proposal. Nonetheless, the Council have not included refusal reasons in relation to the accessibility of the site to services, facilities and public transport, overlooking or highway safety. As I am dismissing the appeal, there is no need for me to consider these matters further. In any event, a lack of harm would be a neutral factor.
21. My attention has been drawn to a fallback position in the form of a previous approval at the site for a residential building of a comparable scale. Nevertheless, that scheme was for larger units with a different garden and window arrangement. Therefore, it is materially different to the appeal proposal with regard to the living conditions of future occupiers.
22. I do not have full details of the considerations that led to the scheme at 1 St Johns Lane being approved. As such, I cannot be sure it is directly comparable to the appeal scheme, which I have considered on its own merits.

Conclusion

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

Stuart Willis

INSPECTOR