
Appeal Decision

Site visit made on 11 June 2020

by S Leonard BA (Hons) BTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 10 July 2020

Appeal Ref: APP/W0340/W/20/3244597

1 Burghfield Bridge Close, Reading RG30 3XL

- 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 and Mrs McCoid against the decision of West Berkshire District Council.
 - The application Ref 19/01308/FULD, dated 27 June 2019, was refused by notice dated 23 August 2019.
 - The development proposed is erection of a new dwelling.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by West Berkshire Council against Mr and Mrs McCoid. This application is the subject of a separate Decision.

Procedural Matters

3. The site address on the banner heading above is taken from the application form. The address on the appeal form matches that on the decision notice, but differs slightly from that given on the application form. For the avoidance of doubt, based on the street sign I observed during my site inspection, I use the address from the application form.

Main Issues

4. The main issues are:
 - Impact of the development on the character and appearance of the area;
 - Impact of the development on the living conditions of the occupiers of 3 Pingewood Close, in respect of outlook; and
 - Whether or not the appeal site would be a suitable location for a dwelling, having particular regard to flood risk.

Reasons

Character and appearance

5. The appeal site comprises part of the garden of 1 Burghfield Bridge Close, a two storey, detached house with detached garage to the side. The rectangular-

shaped site lies to the side of the garage. It is given over to lawn, and is bounded by close-boarded fencing to the front and rear, and fencing and mature landscaping on the north side. There is vehicular access to the site from Burghfield Bridge Close.

6. The site forms part of a modern suburban housing development. Burghfield Bridge Close is characterised by large, detached, two storey houses. Part of the road comprises an unmade, shared access lane which incorporates a landscaped 'roundabout' feature. There is a loose-knit, irregular urban grain and a low density of development. Properties are set back from the highway with open, or low post and rail fencing, frontages. As such, the close has an informal, open and spacious character. Soft landscaping also makes a positive contribution to the street scene through highway verges, landscaped front gardens and patches of mature landscaping.
7. Whilst there are a variety of dwelling designs in the road, a degree of uniformity is evident in respect of large dwelling sizes, two storey heights, steeply pitched/hipped roof forms, incorporating pitched roof dormers and varying eaves heights, and brick and tile materials.
8. The shallow depth of the appeal site means that the proposed dwelling would be sited in close proximity to the front and rear boundaries, resulting in a tight cramped form of development which would be at odds with the prevailing spacious layout of dwellings within the site vicinity. The small set-back from the highway would be at odds with the deep, neighbouring front gardens.
9. The site lies in a visually prominent position within the road on the approach to the northern end of the cul-de-sac. Notwithstanding the lower eaves height at the front of the building, the steeply pitched roof form incorporating pitched roof dormers, would have a visually intrusive and oppressive impact on the prevailing spacious and open street scene and would appear as incongruous and over-dominant in views from the road, due to a combination of its height, width, bulk and proximity to the front boundary and lack of soft landscaped frontage.
10. The solid high close boarded fencing along the front boundary would result in an enclosed and confined form of development which would relate poorly to the public realm at the front of the site and would be out of keeping with the prevailing development of open site frontages.
11. The resulting harm to the visual amenities of the area would not be outweighed by the proposed roof form and detailing and materials being sympathetic to those of neighbouring dwellings.
12. I acknowledge the appellant's comments that the proposed dwelling has been designed to be perceived as one half of the parent property, and that the garden size would accord with the Council's adopted garden size standards. However, the dwelling and its plot would appear noticeably much smaller than those existing within the site vicinity and, combined with the cramped siting of the building this serves to exacerbate the incongruous nature of the development within its surroundings.
13. For the above reasons, I therefore conclude that the proposed development would have a detrimental impact on the character and appearance of the area. The appeal scheme would be contrary to Policy CS14 of the *West Berkshire*

Core Strategy 2006 – 2026 (2012) (the Core Strategy), which, amongst other things, seeks to ensure that new development is of a high quality design that respects and enhances the character and appearance of the area and contributes positively to local distinctiveness and sense of place. For similar reasons, the proposal would also be contrary to chapter 12 of the *National Planning Policy Framework 2019* (the Framework) which seeks to ensure high quality design.

Living conditions

14. The rear wall of the new building would be sited in close proximity to the boundary with 3 Pingewood Close, a detached two storey house. It would be sited almost directly opposite, and within around 10m of, the side wall of that property, which contains several windows and double doors leading onto a small paved area, beyond which there is a lawned area of garden. The rear wall of the proposed dwelling would have the highest eaves of the building and would extend to around double the height of the existing rear boundary fence.
15. I find that the combination of the length and height of solid wall, together with the roof above it, and its close proximity to the side boundary, garden and side wall of No.3, would result in an overbearing impact on the outlook from the rear windows and doors of no.3 and from the side garden of that property.
16. The appellant has referred me to a previous permission for the conversion and first floor extension of the garage at no.1 Burghfield Bridge Close where the Council raised no objection in respect of its impact on neighbouring living conditions. This relates to a different development scheme which is not directly comparable to the appeal proposal, which I must determine on the merits of the scheme before me. Therefore, the previous permission does not alter my findings on this main issue.
17. For the above reasons, I therefore conclude that the proposed development would materially harm the living conditions of the occupiers of 3 Pingewood Close in respect of outlook impact. As such, the proposal would not accord with Core Strategy Policy CS14 which, amongst other things, requires new development to make a positive contribution to the quality of life in West Berkshire. This is generally consistent with the Policies of the Framework which seek to ensure that developments will function well and promote a high standard of amenity, health and well-being for existing and future users (paragraph 127).

Flood risk

18. Both main parties are agreed that the site lies within Flood Zone 2. The Framework and the *Planning Practice Guidance* (PPG) indicate that residential development should be directed away from medium and high flood risk areas, that is, away from Flood Zones 2 and 3 and into Flood Zone 1, the area of lowest flood risk.
19. The PPG indicates that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is only where the appellant can demonstrate, by undertaking a Sequential Test (ST), that there are no reasonably available sites in Flood Zone 1, that decision makers should take

- into account the flood risk vulnerability of a proposal and consider reasonably available sites in Flood Zones 2 or 3.
20. The Appellant has not submitted a Flood Risk Assessment (FRA) as required by Core Strategy Policy CS16 nor a ST to show that there are no reasonably available sites for development in Flood Zone 1. Nor do I have any substantive evidence before me to show that there are no other suitable alternative locations within Flood Zone 1.
21. For the above reasons, I am not content that the appeal site would be a suitable location for a dwelling in terms of flood risk. The proposal would therefore conflict with Core Strategy Policy CS16, which aims to steer vulnerable development away from areas affected by flooding and only supports development within areas of flood risk if it is demonstrated, through the submission of a FRA with a ST, that it is appropriate at that location and, that there are no suitable and available alternative sites at a lower flood risk. It would also be contrary to the advice of the Framework which has similar objectives (paragraph 155).
22. The Appellant proposes to deal with this matter by incorporating Sustainable Drainage Systems (SuDS) into the scheme, to be secured by a planning condition, and including measures to reduce flood risk such as raised floor levels. The Appellant also states that no comments have been received from the Local Drainage Authority.
23. However, the Framework is clear that where a Sequential Test is required, this is a two-stage test, and that it is only when the Sequential Test is passed and development is necessary, that an Exception Test should be carried out to demonstrate that the development can be made safe without increasing flood risk elsewhere. Therefore, in this instance, since no FRA has been submitted and a Sequential Test has not been carried out, I am not satisfied that the Appellant's proposals address this matter.

Other Matters

24. I acknowledge that the proposal represents an amended scheme from that refused under planning application Ref 16/00617/FULD. Whilst the changes to the scheme have been noted, including alterations to the design and siting of the dwelling in relation to neighbouring properties, this does not alter my findings with respect to the aforementioned main issues having regard to the current proposal.
25. The Framework encourages the effective use of land in meeting the need for new homes, including giving substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. However, this is not unqualified and would not address, or outweigh, the aforementioned harm that I have identified in respect of the main issues.
26. I acknowledge that the site is in an accessible location with respect to public transport and community facilities and services. Also, there would be a small social benefit in providing an additional housing unit and providing a greater range in housing size within the site vicinity, together with economic benefits as a result of the construction and occupation of a new house. However, these benefits would not overcome the previous harm I have identified.

Conclusion

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

S Leonard

INSPECTOR