
Appeal Decision

Site visit made on 1 February 2023

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 February 2023

Appeal Ref: APP/X0360/W/22/3303625

14 Coningham Road, Wokingham, Shinfield RG2 8QP

- 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 Matt Taylor of St Edwards Design and Planning against the decision of Wokingham Borough Council.
 - The application Ref 221225, dated 19 April 2022, was refused by notice dated 27 June 2022.
 - The development proposed is the erection of a detached dwellinghouse with associated access, parking and amenity space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is situated within a block of residential development towards the eastern end of Coningham Road. This block encircled by Salmond Road, Coningham Road, Pattinson Road and Pendred Road is particularly distinctive and is discernible from other residential development in the surrounding area, including housing evident in Coningham Road to the west. Its character is derived from a combination of components including a general homogeneity of large detached built form exhibiting a wide footprint, reinforced by the use of a limited range of similar materials. The mostly open aspects to the dwellings are complimented and softened by the presence of grassed areas, many of which contain trees and hedgerows visible in the street scene.
4. In addition, a distinguishing attribute of the block is the underlying deliberate placement of dwellings within an ordered layout whereby four dwellings front directly onto Coningham Road, broadly mirrored by four dwellings fronting onto Pendred Road to the south. At each end there is a pair of chamfered dwellings set within generous plots, orientated to signal the corners of the block. This is illustrated in the Fig 1: Figure Ground extract within the appellant's appeal statement. This distinctive pattern of development results in a regular rhythm of frontages along the southern side of this section of Coningham Road and underpins the overall pleasing, spacious and verdant residential character of the area.

5. I observed this to be the predominant character of the area close to the appeal site despite the presence of extensions that have taken place to some properties and some detracting elements within the street scene. The most noticeable of these being larger areas of unrelieved hardstanding to the fronts of dwellings supporting a considerable number of parked vehicles. These areas had a prominence that negatively intruded into the otherwise spacious greenery of the street.
6. The appeal site forms part of the grounds to 14 Coningham Road, which is one of the prominent chamfered corner dwellings at the western end of the block and addresses the junction of Coningham Road with Salmond Road. Situated between 14 and 16 Coningham Road, the land comprises mostly of open grassed land. Although much of the site is enclosed by fencing, approximately a third of the northern end is open to the street. Its spacious, green and open character reinforces the distinctive layout described and adds to the positive aspects of the street scene. Hence, the appeal site positively contributes to the distinctive qualities of the area.
7. The proposal would introduce an additional detached two storey dwelling between nos. 14 and 16 which would encroach into spacing between those properties that is part of the deliberate layout of the wider block. Consequently, its presence would have a discordant effect by disrupting the established rhythm of built form within the block.
8. Moreover, owing to the limited width of the site relative to the nearest properties, it would be unable to exhibit a similar wide footprint and frontage to the run of properties lining the south side of this section of Coningham Road. In turn, the deeper and narrower footprint would necessitate the building taking a notably different form. The use of a crown roof would add complexity and bulk to the roofscape which would be at odds with the comparatively simpler form of nearby dwellings. The resulting negative impact would not be entirely disguised by employing similar detailing and materials.
9. The appellant points out that the crown roof would not feature in the road facing elevation. Even so, the alignment of the proposed dwelling with no.16 combined with the angle of No.14 would be likely to afford views of the upper parts of the side elevation from the west. As such, it would have some prominence in the approach to this part of Coningham Road and Salmond Road.
10. Furthermore, the proposal would create a notable permeable block paved area to the front of the dwelling that would provide three parking spaces and a turning area. This would displace the present grassed area and leave limited opportunities for meaningful planting that could soften its appearance. The hard surfacing and presence of vehicles at such a noticeable point close to the road would have a stark appearance that would erode the verdant qualities of the street and detract from the principal elevation of the proposed dwelling.
11. The appellant has highlighted examples¹ of other hard surfaced frontages close by, as well as that presently at no.14. In addition, a recent application for a Certificate of Lawfulness² for a garage and hardstanding at no.14 was partially approved, although it did not fully permit the hardstanding. Nevertheless, the

¹ Paragraph 6.23-6.24, Appellant's Appeal Statement

² Planning reference 222145

appellant intends to appeal that decision contending that additional hardstanding for no.14 could be undertaken under permitted development rights. In any event, he considers there would be no restriction to the owner from driving over the land to access the garage in the absence of any hardstanding. Whether that is the case or not, I have already identified that the existing examples generally have a negative impact on the area, and the proposal would promulgate the negative effect.

12. Taking these points together the proposal would adversely affect the character and appearance of the area by undermining positive distinctive attributes of the area and introducing or exacerbating negative components. As such, it would not align with principle R1 of the Council's Borough Design Guide, Supplementary Planning Document, June 2012 which states that residential development should be designed to contribute positively towards the historic or underlying character and quality of the local area.
13. Furthermore, policy TB06 of the Wokingham Borough Development Plan, Managing Development Delivery Local Plan, February 2014 (MDD) specifically concerns the development of private residential gardens, and so has particular relevance to this case. It seeks to avoid harm to the local area and sets criteria upon which to assess residential development. These include that the development should make a positive contribution in terms of the relationship of the existing built form and spaces around buildings within the surrounding area. In addition, it should have a layout which integrates with the surrounding area with regard to amongst other things, the rhythm of plot frontages and parking areas. For the reasons outlined the proposal would conflict with these criteria.
14. This local advice and policy resonate with the requirements of paragraph 130c of the National Planning Policy Framework (the Framework), which, amongst other things, stipulates that planning decisions should ensure that developments are sympathetic to local character, including the surrounding built environment and landscape setting. Moreover, the National Design Guide, September 2019 identifies context as a key characteristic of a well-designed place. It states that well-designed new development enhances positive qualities and improves negative ones. In this case, the proposal would fail to do so.
15. The evidence before me points to a protected Whitebeam tree³ having once existed on land adjacent to 16 Coningham Road, which the Tree Preservation Order (TPO) map shows close to the boundary with no.14. It appears that the tree was subsequently removed without authorisation. Since the appeal was submitted the Council have served a Tree Replacement Notice (TRN) on the owner of no.14 requiring a replacement Whitebeam tree to be planted within a specified area to the front of no.14. The appellant states that the protected tree was not removed from the appeal site and contends that there have never been any protected trees at no.14, pointing instead to the tree concerning land at no.16. A separate appeal process exists in relation to the dispute between the parties regarding the TRN requirements. Therefore, it is not for me to pronounce definitively on this point within the scope of my decision.
16. Nevertheless, my deliberations have led me to find that the proposed layout would limit opportunities for meaningful planting to the front of the appeal site. Whatever the ultimate outcome of the TRN procedure, given the proximity of

³ Tree Preservation Order reference 419/1988, Appendix B, Appellant's Appeal Statement

the proposal to areas denoted on the TPO map and TRN, this could reduce siting options for a replacement tree. However, based on the evidence before me, I am not persuaded that it would prejudice such an objective altogether. As such, this matter has had a neutral bearing on my determination.

17. The appellant asserts that the proposal would be in keeping with the wider surrounding area, and in particular draws comparison with a planning permission⁴ for a dwelling adjacent to 12 Coningham Road. Given the proximity and recent nature of that permission, I agree it is material to my determination. Nevertheless, I consider there are differences between the approved scheme and that before me, such that it carries only limited weight. These include the immediate context of nos.12 and 14 which are physically separated by Salmond Road. Unlike no.14, no.12 does not form part of the distinctive block described above. As such, there are dwellings immediately to the west of the approved scheme from which it would be appropriate to take design cues in that case, but which would not be equally applicable to the appeal proposal. Therefore, this approval would not lead me to a different view on the merits of the scheme before me.
18. In support of the proposal the appellant contends that the existing front grassed area of the appeal site could be enclosed by additional planting and/or fencing by exercising permitted development rights. I accept that may be a possibility, but it is not clearly shown that this would result in greater harm than the appeal proposal, and so would not persuade me to find otherwise.
19. Accordingly, I find that the proposal would have an unacceptably harmful effect on the character and appearance of the area. Therefore, it would conflict with policies CP1 and CP3 of the Wokingham Borough Local Development Framework, Core Strategy, January 2010 (CS) which respectively set out criteria for sustainable development and to establish general development principles. These generally include that development should maintain or enhance the high quality of the environment and are appropriate to local character. Furthermore, as already outlined, the proposal would conflict with policy TB06 of the MDD.
20. In addition, it would not fully adhere to the general design principles listed in policy 2 of the Shinfield Parish Neighbourhood Plan, Made February 2017 (NP) which supports new development as long as it respects local distinctiveness.
21. The Council's decision notice also cites policies CC03 and CC04 of the MDD, which relate to green infrastructure, trees and landscaping, and sustainable design and construction. Based on the evidence before me, I find no specific conflict with their general requirements.

Other matters

22. The Framework encourages the effective use of land in meeting the need for homes, and the proposal would increase the density of housing provision which counts in its favour. Nevertheless, this encouragement is not unqualified and paragraph 124 of the Framework states that account should be taken of the desirability of maintaining an area's prevailing character and setting (including residential gardens) and the importance of securing well-designed, attractive places. This tempers the positive weight attributed to this matter.

⁴ Planning application reference 213947, Appendix A, Appellant's Appeal Statement

23. It is drawn to my attention that the Council found the proposal to be acceptable in all other respects. Be that as it may, compliance with development plan policies in relation to other issues would be an expectation and therefore, the absence of other harm is a neutral factor in the overall planning balance.
24. The appellant asserts that the Council's assessment of the proposal lacked accuracy and balance and is critical that there was not further communication during the planning application process. However, these are matters that lie outside of the scope of my determination, which is based on the planning merits of the scheme.

Planning balance and conclusion

25. The principal benefit of the proposal would be the provision of an additional dwelling towards the overall housing supply in an accessible location. It would also make more efficient use of the land, which is generally encouraged by the Framework. Furthermore, some associated benefits would arise from its construction and the social and economic activity associated with future occupants. However, the extent of such benefits that would accrue from a single dwelling would be modest, and so overall, I attribute limited weight to them.
26. Balanced against that, is the permanent harm that would result to the character and appearance of the area, and the consequent conflict with the respective development plan policies. It would run counter to policy in the Framework which seeks to achieve well-designed places. Paragraph 126 confirms that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
27. Planning law requires decisions to be made in accordance with the development plan, unless material considerations indicate otherwise⁵. The benefits of the proposal do not attract sufficient weight to indicate that the decision should be taken other than in accordance with the development plan.
28. For the reasons given above I conclude that the appeal should be dismissed.

Helen O'Connor

Inspector

⁵ Section 38(6) Planning and Compulsory Purchase Act 2004 and section 70 (2) of the Town and Country Planning Act 1990.