



Appeal Decision

Site visit made on 12th April 2023

by M. P. Howell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2023

Appeal Ref: APP/E0345/W/22/3309850

60 Beecham Road, Reading RG30 2RD

- 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 Rajan Galot (The Keen Partnership) against the decision of Reading Borough Council.
 - The application Ref 211182, dated 16 July 2021, was refused by notice dated 31 May 2022.
 - The development proposed is the conversion of existing garage to a 1-bedroom flat, change the existing flat roof to a pitch roof, relocate windows and add a bay window on the front of the building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the Appeal Form as it provides a more accurate description than that outlined on the original planning application form.

Main Issues

3. The main issues in this appeal are
 - The effect of the proposed development on the character and appearance of the area
 - The effect of the proposed development on the provision of affordable housing.
 - Whether the proposed development would provide adequate accommodation for future occupants, with regard to the outlook, light and the private external space.
 - The effect of the proposed development on parking and highway safety
 - The effect of the proposed development on trees.

Reasons

Character and Appearance

4. Beecham Road is a residential street, which is largely characterised by terraced properties. The dwellings are mostly uniform in appearance, set back behind a small front garden, with long rear private gardens. The dwellings have a simple pitched roof, some with bay windows features and most are finished in brick.

From what I could see during my site visit, detached sheds and outbuildings are a typical feature to the back of the properties. The consistency in the orientation and size of the dwellings as well as plot layouts, together with coherent features and materials provides a pleasant character and uniformity to the street scene.

5. The outbuilding to be converted to a new dwelling is already in place as a garage/store, it is single storey and subservient to the main dwelling. The arrangement of a pitched roof and additional openings would not significantly alter its scale, which would be similar to other ancillary outbuildings in the vicinity.
6. However, the outbuilding would form a new dwelling with an associated garden, subdividing the land into two planning units. Due to constraints of the site, the dwelling would be positioned in tandem with the host building. The tandem layout would result in the development having no frontage, it would face the rear elevation of the host building and would fail to have a strong visual relationship with neighbouring dwellings and Beecham Road. The subdivision of the site would also produce a far less spacious plot, with smaller garden spaces for both the proposed dwelling and existing flats. As such, the layout of the site would be at odds with the pattern of development and spacious rear private gardens, appearing constrained, overdeveloped, and harmful to the character and appearance of the area.
7. Although the appearance of the building is not objectionable and it would not be prominent within the street scene, its siting, orientation and plot layout would not integrate with the predominant layout of the surrounding area. The appellant has provided examples of tandem development in the locality on Beecham Road, St. George's Road and Oxford Road. I have not been provided with the full details of these developments, so it is difficult to compare them to the proposal before me. However, most appeared to be ancillary buildings rather than subdivided plots in tandem¹, as referred to in Policy H11 of the LP. As such, they are not comparable to the scheme proposed in this instance.
8. I, therefore, conclude that the proposed development would lead to an adverse effect on the character and appearance of the area. The proposed development would be contrary to the requirements of Policies CC7 and H11 of the LP, which amongst other things, require development on garden land to not lead to tandem development, as well as reinforce and harmonise with the established character of the street and positively contribute to the character and quality of the environment through good design.

Affordable Housing

9. Policy H3 of the Reading Borough Local Plan 2019 (LP) requires residential development to make an appropriate contribution towards affordable housing. On sites of 1-4 dwellings, a financial contribution will be made that will enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the borough. As the proposed development would be a development of 1-4 dwellings, a financial contribution in line with the policy should be made to secure the affordable housing contribution.

¹ 'Tandem development' is used to describe a dwelling built behind another, the rear building having no frontage and being accessed by a private roadway or track alongside the front building.

10. Paragraph 64 of the National Planning Policy Framework (the Framework) indicates that affordable housing should not be sought for residential developments that are not major.² In this respect the local policy is not entirely inconsistent with the Framework. However, the need for affordable housing in Reading has been identified as being significant as part of the LP, and this is clearly set out in the Affordable Housing Supplementary Planning Document 2021 (SPD). As such, despite the conflict with the Framework, there is a justification to seek contributions from all sizes of residential development. I am satisfied that the need for an affordable housing contribution would satisfy the three tests set out in paragraph 57 of the Framework.
11. The financial contribution should be calculated by the Council in accordance with the Affordable Housing SPD, which indicates that the most appropriate way to calculate the Gross Development Value (GDV) is to apply 5% of the GDV to proposals for 1-4 dwellings. Three independent property valuations have been provided by the appellant, and an informal contribution has been agreed via correspondence with the Council. The appellant does not contend that there are any viability issues and is willing to pay the contribution and enter into a legal agreement.
12. Despite the appellant's willingness to enter into the agreement, the draft agreement provided is not signed and dated by the Council or appellant. In the absence of a legal agreement signed by all parties and dated, there is no agreement or mechanism in place to ensure that a contribution could be secured for affordable housing. I have considered whether this matter could be addressed through the imposition of a negatively worded planning condition to prohibit the development until a satisfactory planning obligation is agreed. However, Planning Practice Guidance states that a condition to secure a contribution such as this is unlikely to be appropriate in most cases, unless exceptional circumstances dictate otherwise. No exceptional circumstances have been put forward in this instance.
13. Accordingly, as the proposed development would not contribute to affordable housing, it would fail to comply with the objectives of Policy H3 of the LP, which aims to significantly boost the supply of homes for varying groups in the community. It would also fail to comply with the aims and guidance set out in the Affordable Housing SPD and the Planning Obligations Supplementary Planning Document, which seek to secure financial contributions towards affordable housing on smaller schemes such as this.

Living Conditions for future Occupiers

14. Policy CC8 of the LP refers to safeguarding amenity of existing residential properties or the living conditions for new residential properties in terms of privacy, access to sunlight and daylight as well outlook. The new dwelling would be served by a window to the front, three side windows and four roof lights. The open planned kitchen and living space includes a bay window, a side window, two roof lights and a door. The bedroom has a side window and a rooflight whereas the study would be served by a single rooflight.
15. An Internal Daylight Assessment by T16 Design was submitted with the appeal. The technical evidence demonstrates the proposal would include sufficient internal daylight to the habitable spaces. The Council have indicated that the study has not accounted for the trees, however, the trees only partially overhang

² Major developments are defined in Annex 2 of the Framework as housing developments of 10 or more homes.

the building and I have not been presented with any substantive evidence which demonstrates the overshadowing of the trees would be significant. As such, based on the evidence before me, I am satisfied that light entering the habitable spaces would be sufficient to serve the future occupants.

16. Despite levels of light being satisfactory, the proposed bedroom window opening would include only a single outlook to the side. The rooflight would provide additional light, but the outlook from the bedroom window would be dominated by the party boundary fence at close range, resulting in a poor and oppressive outlook. I acknowledge that the front facing room (living and kitchen space) would provide a better level of outlook, however, this would not be sufficient to overcome the substandard outlook from the bedroom.
17. Policy H10 of the LP states that dwellings should be provided with functional private or communal open space, including green space wherever possible that allows for suitable sitting-out areas, children's play areas, home food production, green waste composting, refuse storage, general outdoor storage and drying space. The design of outdoor areas will respect the size and character of other similar spaces in the vicinity.
18. The garden space for the proposed dwelling would be flat and a functional shape. Also, a separate refuse storage area is provided. However, due to the tandem layout, the garden space for the proposed dwelling would be subdivided by a 1.5m high fence into a noticeably smaller and less private space when compared to the longer, private garden spaces that exist within the vicinity. As such, in this context, the proposed gardens would not respect the size and character of similar spaces in the vicinity.
19. The poor outlook from the bedroom as well as the size and character of the external space would result in a substandard level of accommodation, which would undermine the quality of life of future residents. The appellant has outlined sites on Beecham Road, St George's Road and Oxford Road where he outlines smaller garden spaces exist.³ I have, however, not been provided with the full details of the sites, the size of the spaces and how they are used. Nevertheless, from what I could see on site, and from the evidence before me, the examples appear larger, more private or are laid out as communal spaces. As such, these examples are not comparable to the proposed private outdoor space before me.
20. Therefore, while sufficient internal daylight would be provided, the proposed development would provide inadequate accommodation for future occupants, by virtue of the outlook from the bedroom as well as the size and character of the garden space. Accordingly, the proposal would be contrary to Policies CC8, H8 and H10 of the LP, which requires all new development to provide sufficient outlook to future occupants and an outdoor area that respects the size and character of other similar spaces in the vicinity.
21. The proposed development would also be contrary to paragraphs 130 (f) of the National Planning Policy Framework (the Framework). Paragraph 130 (f) of the Framework states that decisions should ensure that developments create places with a high standard of amenity for existing and future users.

³ 2, 2a, 4, 6, 8, 70 & 72 Beecham Road; 15 & 41 St George's Road; and 627, 629 & 631 Oxford Road.

Parking and Highway Safety

22. Oxford Road adjoins Beecham Road at one end and Waverley Road at the other. Oxford Road is a red route which means there is no parking along its length, and for a short length at the start of Beecham Road. Aside from this, Beecham Road is a one-way street with no restrictions on parking. No parking is proposed on site and the additional parking from the proposal would need to be accommodated for in the street. Whilst I appreciate this is a snapshot in time, during my visit (12:00 midday) on a Wednesday, there were high levels of on-street parking on either side of the carriageway.
23. Based on the loss of on-site parking, the Highways Authority have stated that there is a need to accommodate 2 spaces for the existing flats, and an additional 1.5 car parking spaces for the proposed dwelling in line with the Revised Parking Standards and Design Supplementary Planning Document 2011 (Parking Standards).
24. A Technical Note: response to RBC Highways was produced by Motion. This sets out the site is in an accessible location close to shops, services, and regular public transport. Also, despite the parking that was agreed in 2002⁴ for the existing flats, it is very difficult to access the garage and turn within the site. Consequently, the parking for the flats is already accommodated in the street, and a parking survey undertaken on Saturday 22nd January 2021 between 4pm and 5pm indicates that 29 spaces were available on the street.
25. Based nature of the proposed accommodation, the accessible location of the site and the alternative means of transport available, one parking space would be sufficient to serve the proposed dwelling. I accept that there is a shortfall in the parking provision, but the site is in an accessible location, a short walk to shops, amenities, and services. A bus stop was also available on Oxford Road, providing regular public transport to centre of Reading. I am also satisfied that sufficient evidence has been provided to demonstrate that Beecham Road has the capacity to accommodate the minor increase in parking on the street without leading to unacceptable risk to highway safety.
26. The Council refer to an appeal at 615 Oxford Road⁵ for a scheme to provide four flats. Although I have had regard to this appeal decision in the evidence, and its proximity to the appeal site, I have not been provided with the full details that were available to the inspector when making the decision. As such, it is difficult to compare the two proposals, and I have considered this scheme on its own merits.
27. Accordingly, the parking requirements generated by the proposed development, over and above the existing flats, would be limited and sufficient spaces exist in the street to accommodate the minor increase in demand. Therefore, the proposal would not materially add to or create any localised parking stress or highway safety issues. Therefore, although the scheme technically conflicts with the Parking Standards, I find that no harm would arise, and there would be no conflict with Policies TR1 and TR5 of the LP.
28. The scheme would also be compliant with paragraph 111 of the Framework relating to highway safety, which states that Development should only be prevented or refused on highways grounds if there would be an unacceptable

⁴ Council reference 020590/FUL- allowed at appeal but no reference provided.

⁵ APP/E0345/W/20/3252851

impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Trees

29. Although the proposal does not indicate a requirement to remove trees to accommodate the proposal, the Council has raised concern over the lack of information to determine the impact on the nearest trees. Due to the overhang if the adjacent trees it is contended that the proposed development would increase pressure to cut back, prune or remove the nearest trees.
30. The appellant has indicated that the trees on site, indicated on an existing site plan, have been removed. From my site visit, I would agree that the trees identified on the site plan have been removed. However, two different trees were abutting the rear boundary to the side of the garage. Also, there were trees in the garden of 62 Beecham Road overhanging the building.
31. I have limited evidence to show that the trees on site and in the neighbour's garden are protected. The trees were visible at a distance from gaps in between properties, but they appeared to be self-seeded and added little amenity value to the street scene. As such, the loss of the trees within the site would not be harmful to the character and appearance of the area. The trees in the neighbour's garden were more mature and added some value to the street scene. However, level of the overhang was not significant and there is unlikely to be persistent pressure to remove the trees from future occupants. Furthermore, in the event the neighbour's trees were cut back or pruned due to overhanging, provided this work is carried out appropriately, this is unlikely to lead to their damage or loss.
32. I, therefore, conclude that the proposal complies with Policy EN14 of the LP, which requires individual trees, groups of trees, hedges, and woodlands to be protected from damage or removal where they are of importance.

Other Matters

33. I note that the dwelling would be acceptable in respect of other considerations, such as neighbouring amenity, ecology, sustainability, flood risk and drainage. Although this a positive aspect of the scheme, these matters are neutral and would not mitigate the harm identified to the provision of affordable housing, the living conditions of future occupiers or the character and appearance of the area.
34. I have had regard to the appellant's concerns over the handling of the planning application, including matters relating to the assessment of the application and delays to the finalising of the legal agreement. How the planning application was handled is outside my remit in this appeal, and there are separate procedures that consider procedural matters and whether the Council has acted unreasonably. Although the appellant does request that I consider the potential award of costs, no costs application was received. As such, these matters do not affect my conclusions on the main issues.
35. I acknowledge the contribution that a dwelling in an accessible location would make to the local housing stock. I also note that there would be social and economic benefits from the conversion of the building, in terms of additional expenditure in the local economy and the creation of jobs during the conversion. However, it would only be a small uplift in housing and mostly limited and short-

term economic benefits to the area. As such, these benefits do not outweigh the harm I have identified above.

Conclusion

36. The proposed development would conflict with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should, therefore, be dismissed.

M. P. Howell

INSPECTOR