
Appeal Decision

Site visit made on 6 June 2023

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd June 2023

Appeal Ref: APP/E0345/W/22/3313373

15 Highmead Close, Reading RG2 7NG

- 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 D Hill against the decision of Reading Borough Council.
 - The application Ref 220381, dated 15 March 2022, was refused by notice dated 20 June 2022.
 - The development proposed is changing the current single dwelling into two dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- Whether or not the proposed development would make adequate provision for affordable housing; and
- The effect of the proposal on the character and appearance of the area.

Reasons

Affordable Housing

3. Policy H3 of the Reading Borough Local Plan (2019) (Local Plan) requires residential development to make an appropriate contribution towards affordable housing to meet the needs of Reading. On sites of 1 – 4 dwellings a financial contribution should be made that will enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the Borough. It is set out in the supporting text that the Council will generally secure provision of affordable housing through a Section 106 agreement. As the proposal would provide an additional dwelling, it is required to make a financial contribution towards affordable housing based on the value of the development.
4. This policy approach is not fully consistent with Paragraph 64 of the National Planning Policy Framework (the Framework), which states that provision of affordable housing should not be sought for residential developments that are not major developments¹, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). Reading Borough is not a designated rural area. However, as set out in the Council's Affordable Housing Supplementary Planning Document (2021) (SPD), the need for affordable

¹ For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.

housing in Reading is so significant that there is justification for seeking contributions to affordable housing from all sizes of residential development, from one dwelling upwards. There are therefore exceptional circumstances in terms of affordability and housing need in Reading that justify the approach taken by Policy H3 of the Local Plan. Given this, despite conflict with the Framework, I am satisfied that the need for an affordable housing contribution would satisfy the three tests set out in paragraph 57 of the Framework.

5. I note that the appellant is happy to enter into a Section 106 agreement to secure an affordable housing contribution. Nevertheless, the Procedural Guide: Planning appeals – England requires the appellant, in cases such as this appeal, to submit an executed and certified copy of any planning obligations at the time of making the appeal. It explains that the Inspector will not delay the issue of a decision to wait for an obligation to be executed unless there are very exceptional circumstances.
6. There is no Section 106 agreement before me. Although, I appreciate that the appellant confirmed with the Council during the application process that they would be willing to enter into one, the failure of the Council to progress this does not constitute very exceptional circumstances.
7. The appellant contends, given that confirmation was provided, that the contribution could be secured using a pre-occupation condition. However, as set out in the Planning Practice Guidance, no payment of money or other consideration can be positively required when granting planning permission. While a negatively worded condition can be used it is unlikely to be appropriate in the majority of cases and should only be used in exceptional circumstances where there is clear evidence that the delivery of the development would otherwise be at serious risk. There is no substantive evidence before me demonstrating this.
8. Accordingly, in the absence of a Section 106 agreement, the proposal would fail to make an appropriate contribution towards affordable housing to meet the needs of Reading. It would therefore conflict with Policy H3 of the Local Plan and the Affordable Housing SPD. It would also be contrary to the overarching fundamental aim of the Framework to provide affordable housing for those who require it.

Character and Appearance

9. Highmead Close is a relatively short cul-de-sac made up of five blocks of two-storey terrace houses. The houses are set back from the highway on relatively large plots and have a consistent scale, form, features, and materials. This creates uniformity and a sense of spaciousness. However, the houses follow the sloping topography, meaning some are elevated slightly above the highway and others set slightly below. Also, the ground level of some of the houses within the terrace blocks is stepped rather than continuous. This is evident in their eaves and ridges, which are also stepped rather than continuous.
10. Front boundary treatments consist largely of hedges. Nonetheless, at the end of the cul-de-sac, where the appeal property is located, the frontages are more open, with many laid completely to hardstanding for parking. Despite this, there are views of surrounding trees above the houses and through the gaps between the terrace blocks, meaning that, overall, there is a verdant and spacious character, albeit the footway is dominated by parked cars.

11. The appeal property is one of the end houses in a four-house terrace block. Given it is an end of terrace property, it is one of few houses on Highmead Close that has been extended to the side. No. 18 Highmead Close, which is located at the other end of the terrace block also has a two-storey side extension, which is flush with the principal elevation of the main dwelling.
12. Given the limited width of the appeal property's frontage, its two-storey side extension is stepped back from the principal elevation. This makes it appear subservient to the main dwelling. While it has a narrower elevation than the adjoining terraces, it uses matching materials, and its arrangement of windows and doors, although not entirely consistent with the main dwelling, correspond with it. Its lower ridge height reflects the stepped ridges seen in some of the other terrace blocks. For these reasons, the extension assimilates well with the host dwelling and adds positively to the character of the area. In any case, despite few of the properties having side extensions, the appeal property, including its side extension, form part of the established character of the area.
13. The proposal would not alter the external appearance of the appeal property. It would continue to appear as a single dwelling with a side extension. The two-storey side extension is currently used as an annex and has a separate external door positioned on the northern side elevation. This may be different from the adjoining terraces. However, the proposal would not change this and given its positioning, views of the door from the public realm are very limited.
14. Annexes are generally used independently from their host dwellings to a degree. Given this, while the proposal could result in an increase in comings and goings through this door, any increase would likely be limited and not to the extent that it would harm the existing character and appearance of the area. Moreover, the front door of No. 11 Highmead Close is positioned in the side elevation of their porch, so the positioning of the door, although not common in the street scene, would not appear incongruous.
15. The front garden of the appeal property includes a hardstanding of a sufficient size to park two vehicles. This is similar to many of the surrounding properties that have large areas of hardstanding to the front of them to park vehicles. No vertical features have been proposed to demarcate the subdivision of the front garden and, if the appeal were to be allowed, I am satisfied that suitable conditions for landscaping could be agreed.
16. The proposed fence that would subdivide the rear garden of the appeal property to allow separate rear gardens for each dwelling would not be visible from the street scene and both gardens would be a generous size.
17. I note the assessment of the Inspector under application ref: 150640², which also relates to the appeal site. I do not have the full details of that application before me. However, while I appreciate that allowing this appeal may result in a similar development to that proposed under that application, the proposal in that case included the construction of a new dwelling, whereas the appeal before me relates to a change of use to the existing extension. As such, the assessment of the previous Inspector has not been determinative in my decision.

² Appeal ref: APP/E0345/W/15/3141311

18. Overall, while the proposal would appear as an extension rather than a self-contained dwelling, the appeal property, in its current form, is part of the established character of the area. The proposal would not alter this and therefore, its effect, if any, on the character and appearance of the area would be negligible.
19. Accordingly, the proposal would maintain the character and the appearance of the area. Thus, it would accord with Policies CC7 and H11 of the Reading Borough Local Plan. These seeks to ensure all development is of a high design quality that maintains and enhances the character and appearance of the area and that proposals, such as the appeal proposal, make a positive contribution to the character of the area.

Conclusion

20. Overall, while I have found the proposal would maintain the character and appearance of the area, it would fail to make an appropriate contribution towards affordable housing to meet the needs of Reading. The proposal would therefore conflict with the development plan read as a whole.
21. Although the proposal would provide an additional dwelling, the resulting social and economic benefits arising from its occupation, as well as the dwelling's contribution to the Borough housing supply, would be limited. They would, therefore, not outweigh the harm to the provision of affordable housing in the Borough that I have identified above.
22. Accordingly for the reasons above, and having had regard to all other material considerations, I conclude that the appeal should be dismissed.

Hannah Guest

INSPECTOR