
Appeal Decision

Site visit made on 17 December 2024

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 January 2025

Appeal Ref: APP/E0345/W/24/3350138

22 Norcot Road, Tilehurst, Reading, Berkshire RG30 6BU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr John Mahal against the decision of Reading Borough Council.
 - The application Ref is 231150.
 - The development proposed is a two bedroom residential unit.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was issued on 12 December 2024. Comments were sought from the main parties as to the relevance of the revised Framework to the appeal, and I have taken the comments received into account in my consideration of the appeal.
3. The Officer's Report suggests that the proposed dwelling would not meet the Nationally Described Space Standards. However, the proposed dwelling would exceed the minimum standard required for a 2 bedroom 3 person dwelling. Furthermore, the reasons for refusal do not refer to inadequate internal space. The size of the proposed dwelling does not, therefore, form part of my assessment with regard to living conditions.
4. The parties have agreed that a condition could be attached to secure one electric vehicle charging point on the site. This element of reason for refusal 3 is not, therefore, a main issue for the appeal.
5. The parties have agreed that a condition could be attached to ensure that the proposed development complies with Policy H5 of the Reading Borough Local Plan (November 2019) (the RBLP). As such, the proposed development would comply with Policy H5 which requires new housing to be built to the higher water efficiency standard, achieve a minimum 19% improvement in the dwelling emission rate over the target emission rate as defined in the 2013 Building Regulations and be accessible and adaptable. Reason for refusal 4 is not, therefore, a main issue for the appeal.
6. On sites of 1-4 dwellings, Policy H3 of the RBLP requires a financial contribution equivalent of 10% of the housing to be provided as affordable housing elsewhere in the borough. A signed Section 106 agreement, dated 11 December 2024, has been submitted to the appeal securing the required level of financial contribution.

Therefore, the proposed development would comply with Policy H3 of the RBLP. Reason for refusal 5 is not, therefore, a main issue for the appeal.

Main Issues

7. The main issues are:

- the effect of the proposed development on the character and appearance of the area with particular regard to whether or not it would result in an over-intensive use of the site;
- whether or not the proposed development would provide adequate living conditions for its future occupiers with regard to light, outlook and outdoor amenity space; and
- whether or not it has been demonstrated that adequate bicycle storage would be provided for both the existing dwellings at the appeal site and the proposed development.

Reasons

Character and Appearance

8. The appeal relates to a site comprising a two-storey detached building with a convenience store and barber shop on the ground floor and residential accommodation above. Behind the commercial units are a terrace of three modern single storey maisonettes, each with a small rear outdoor amenity area (the previous scheme¹) and a parking area serving the dwellings. The site is accessed from Norcot Road via a private drive. There also appears to be a few brick courses of a structure next to the parking area in the rearmost section of the site which the Council confirms is unauthorised development.
9. The site lies on the edge of a district centre which contains a mix of uses; otherwise, the surrounding area is predominantly residential. The adjoining site to the west consists of a restaurant and car wash. The site to the east comprises a detached two storey dwellinghouse with a large rear garden, which is reflective of the majority of residential development in the surrounding area. The appeal site is located in somewhat of a transition area, reflected in the mix of uses on the site.
10. The appeal proposal seeks to erect a single storey 2 bedroom dwelling to the south of the existing maisonettes within the rearmost section of the site where communal outdoor space is approved under the previous scheme. If allowed, the proposal would effectively over-ride the previous scheme, replacing the approved communal outdoor space with a dwelling.
11. While the rear section of the appeal site contains a few brick courses of a structure, it is unauthorised development. Notwithstanding this, the appeal site possesses a sense of openness due to the space that exists for the approved communal outdoor space. If the communal outdoor space was implemented, it would enhance the site's verdancy and maintain its openness. The appeal scheme, on the other hand, would diminish the sense of openness on the site and result in a cramped form of development that would be incongruous with the

¹ Ref 141366.

general pattern of residential development in the area which is characterised by large rear gardens.

12. The appellant has pointed to 20 Norcot Road (No 20) which is argued contains development coverage similar to that proposed by the appeal. However, No 20 is the subject of recently upheld enforcement appeals² relating to unauthorised development including a workshop, spray booth and waiting room for a car wash. Dismantling and removal of the unauthorised development is required within 6 months of the appeal decision. Taking this into account, a smaller proportion of No 20's site area would be covered by development than the appeal proposal.
13. While No 20 contains development in the rearmost section of the site, it is a commercial use, as is the majority of the development at that site. Consequently, the character of No 20 is materially different to the appeal site which includes residential dwellings with outdoor amenity space. Therefore, No 20 is not directly comparable to the appeal proposal due to the different predominant land uses on that site.
14. Although the visual appearance of the dwelling would be acceptable in isolation, the proposal would nevertheless result in an over-intensive form of development that would harm the character and appearance of the area. Accordingly, it would conflict with Policies H10, H11 and CC7 of the RBLP insofar as they require the design of private and communal outdoor space to respect the size and character of other similar spaces in the vicinity and contribute positively to the character of the area. While the appeal site is within the former curtilage of private residential gardens, it would fail to comply with Policy H11 of the RBLP insofar as it requires such proposals to make a positive contribution to the character of the area.

Living Conditions

15. The south east side elevation of the proposed dwelling would be close to a boundary fence and its rear elevation would be close to a large outbuilding of an adjoining site. As a result, the outlook from the windows on those elevations, which serve a kitchen and therefore habitable room, would be oppressive and the amount of light received by them would be limited.
16. The outlook from the windows of the proposed dwelling would be materially different to the outlook from the windows of the maisonettes as the latter are not obstructed by a boundary fence or outbuilding.
17. Despite the Council's conclusion that the private amenity space is sufficient in size, the quantum of private outdoor amenity space proposed falls below the guidance set out in paragraph 4.4.87 of the RBLP. Flexibility is not afforded in Policy H10 of the RBLP, or in guidance supporting the policy, for sites in a district centre or close to public open space. Furthermore, proximity to public open space would not fully mitigate deficiency of private outdoor amenity space due to the different purposes they serve. In any event, the quality of the proposed outdoor amenity space would be poor due to the proximity of 2-metre-high timber fencing on three sides of the space, resulting in a restricted outlook and harmful sense of enclosure. The height of the adjoining commercial premises close to the western boundary of the appeal site would also contribute to a detrimental sense of enclosure and overbearance.

² Ref APP/E0345/C/24/3338517 & APP/E0345/C/24/3338518 and APP/E0345/C/24/3338521 & APP/E0345/C/24/3338522.

18. While the private outdoor amenity space for the proposed dwelling would be larger than those individually serving the maisonettes, the maisonettes would have the benefit of communal outdoor space if it were implemented.
19. The appellant contends that the appeal scheme would provide an improved outlook for the occupiers of the existing maisonettes as the site is currently poorly maintained. However, the maintenance of the site is the responsibility of the appellant. Moreover, if the communal outdoor space was implemented, the outlook of the site would be enhanced.
20. For the reasons given, the proposed development would not provide adequate living conditions for its future occupiers with regard to light, outlook and outdoor amenity space. As such, it would conflict with Policies CC8 and H10 and of the RBLP. Policy CC8 requires development to not cause unacceptable living conditions for occupiers with regard to light and outlook. Policy H10 requires development to provide private or communal open space which respects the size and character of other similar spaces in the vicinity.
21. The Council has referred to conflict with Policy H5 of the RBLP. However, this policy relates to internal space standards, sustainable construction and accessible and adaptable homes so is not determinative on this main issue.

Bicycle Storage

22. The appellant states that the bicycle store serving the existing maisonettes has been re-provided between the shop and the first maisonette. However, details of the re-located bicycle storage area have not been submitted. The plans show a store for two bicycles in the private outdoor amenity area of the proposed dwelling. However, details of the cycle store serving the proposed dwelling have also not been provided.
23. A condition could be imposed to require submission of the details. However, given the private amenity area within which the bicycle store would be sited is already under-sized, it would further reduce the amount of amenity space, no matter how designed. As such, it has not been sufficiently demonstrated that adequate bicycle storage could be provided for the site without causing unacceptable harm to the living conditions of the future occupiers due to the effect on the quality and quantity of the proposed private outside space.
24. For the reasons given, it has not been demonstrated that adequate bicycle storage would be provided for either the existing dwellings or the proposed development. Hence, it would conflict with TR5 of the RBLP which requires development to provide appropriate cycle parking facilities.

Planning Balance and Conclusion

25. The compliance of the proposal with regard to access, car parking provision, the intrinsic architectural quality of the building and the amenity of neighbouring occupiers are expectations for all development that weigh neither for nor against the proposal and is considered neutral.
26. The proposal would deliver one additional dwelling, contributing towards the area's housing supply and make use of previously developed land. The site is in a location accessible by public transport and to a wide range of services and facilities. These are all positive benefits, however, given the small scale of the

development these benefits would be modest and carry moderate weight in favour of the proposal.

27. The proposed development would unduly harm the character of the area, and not provide adequate living conditions for its future occupiers with regard to light, outlook and outdoor amenity space. These are matters of significant weight. It has also not been demonstrated that the proposal would provide adequate bicycle storage. Accordingly, I find that the adverse impacts of the proposal outweigh the limited benefits and the appeal scheme would not accord with the development plan, when considered as a whole.
28. The material considerations do not indicate that the appeal should be decided other than in accordance with the development plan. For the reasons given above, the appeal should be dismissed.

U P Han

INSPECTOR