

**BY THE DIRECTOR OF ECONOMIC REGENERATION & NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 4 MARCH 2020**

Ward: BATTLE

Appeal No: APP/E0345/W/19/3239477

Planning Ref: 181404

Site: Land to the Rear of 578 - 584 Oxford Road, Reading RG30 1EG

Proposal: The development proposed is demolition of existing building and erection of two storey building containing 4 x studio flats.

Decision level: Delegated decision 1/5/2019

Method: Written representations

Decision: Appeal Dismissed

Date Determined: 13 February 2020

Inspector: Stuart Willis BA Hons MSc PGCE MRTPI

1. BACKGROUND

1.1 The appeal site comprises an Victorian end-of-terrace building at the corner of Oxford Road and Gordon Place, together with more modern outbuildings which have been used as a vehicle repair garage and parts of the rear gardens of 580-584 Oxford Road.

1.2 The site has been the subject of previous planning permissions in 2012 and 2017 for the demolition of the existing structures on the site, and erection of a two-storey rear extension, and construction of a 2.no one bedroom dwellings. The original 2012 application was approved at appeal, with the second permission being granted at officer level.

1.3 The appeal application was refused planning permission for the following reasons:

- Impact of the proposed development on character and appearance of the area;
- Impact of the proposed development on adjacent trees;
- Harm to future occupants' living conditions due to size of flats, and outlook/amenity space; and
- Absence of a completed legal agreement for affordable housing.

2. SUMMARY OF DECISION

2.1 The Inspector considered that the main issues in the appeal were:

- Whether the proposed development would provide appropriate living conditions for future occupiers, with particular regard to internal living space, privacy and outlook; and
- The effect of the proposed development on the character and appearance of the area.

2.2 The Inspector took the view that windows at ground floor facing directly onto the shared amenity space would severely restrict the attractiveness of the outlook from these units, and would allow direct views from the shared space in to main living areas. As such, the Inspector took the view that there would not be a sufficient level of privacy or outlook to those flats.

2.3 The Inspector noted that the windows to the front of the property and the level of daylight/sunlight into all flats, would however, be acceptable.

2.4 The Inspector also agreed with the LPA that despite there not being a specific studio flat floor space standard within the Local Plan the size of the proposed dwellings, that the ability to place a double bed within the studio flats serves to demonstrate that the occupancy could be greater than the Council's position of assessing the application as 1-bed dwellings. As such, the Inspector concluded that the flats would not provide adequate living conditions for future occupiers.

2.6 In terms of character and appearance, he concluded that there was a significant variation in built form and spaces around buildings in the area. As such, the Inspector concluded that the development would not harm the character and appearance of the area.

2.7 The Inspector also disagreed with the Council's view that the development would harm the adjacent trees, and that were he otherwise minded to approve the scheme, conditions could secure landscaping and planting to mitigate any potential impact.

2.8 Whilst the Inspector appreciated that a suitable S106 unilateral undertaking had been presented to secure affordable housing, this did not outweigh the identified harm caused by the scheme.

2.11 The Inspector concluded that although the scheme would not harm the character and appearance of the area, nor would it harm the trees, the completion of the S106 agreement would not outweigh the failure of the scheme to provide appropriate living conditions for future occupiers, and as such the appeal was dismissed.

Comment:

This is a welcome decision in that although the external concerns with the appeal scheme were not supported, the Inspector was in agreement with the Council's refusal reason with how Policy H5 controls standards for new dwellings.

Overall, it is felt that the Inspector has assessed this appeal with a pragmatic approach and has dismissed it in-line with the Council's new Local Plan policies and the harm to the character and living conditions of future occupiers.

Classification: OFFICIAL



Location Plan 1:1250

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