

**READING BOROUGH COUNCIL  
REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND  
NEIGHBOURHOOD SERVICES**

<b>TO:</b>	<b>PLANNING APPLICATIONS COMMITTEE</b>		
<b>DATE:</b>	<b>2 DECEMBER 2020</b>		
<b>TITLE:</b>	<b>PLANNING APPEALS</b>		
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**1. PURPOSE AND SUMMARY OF REPORT**

- 1.1 To report notifications received from the Planning Inspectorate on the status of various planning appeals.

**2. RECOMMENDED ACTION**

- 2.1 That you note the appeals received and the method of determination as listed in Appendix 1 of this report.
- 2.2 That you note the appeals decided as listed in Appendix 2 of this report.
- 2.3 That you note the Planning Officers reports on appeal decisions provided in Appendix 3 of this report.

**3. INFORMATION PROVIDED**

- 3.1 Please see Appendix 1 of this report for new appeals lodged since the last committee.
- 3.2 Please see Appendix 2 of this report for new appeals decided since the last committee.
- 3.3 Please see Appendix 3 of this report for new Planning Officers reports on appeal decisions since the last committee.

**4. CONTRIBUTION TO STRATEGIC AIMS**

- 4.1 Defending planning appeals made against planning decisions contributes to producing a sustainable environment and economy within the Borough and to meeting the 2018-21 Corporate Plan objective for “Keeping Reading’s environment clean, green and safe”.

**5. ENVIRONMENTAL AND CLIMATE IMPLICATIONS**

5.1 The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).

5.2 The Planning Service uses policies to encourage developers to build and use properties responsibly by making efficient use of land and using sustainable materials and building methods. As a team we have also reduced the amount of resources (paper and printing) we use to carry out our work.

## **6. COMMUNITY ENGAGEMENT AND INFORMATION**

6.1 Planning decisions are made in accordance with adopted local development plan policies, which have been adopted by the Council following public consultation. Statutory consultation also takes place on planning applications and appeals and this can have bearing on the decision reached by the Secretary of State and his Inspectors. Copies of appeal decisions are held on the public Planning Register.

## **7. EQUALITY IMPACT ASSESSMENT**

7.1 Where appropriate the Council will refer in its appeal case to matters connected to its duties under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

## **8. LEGAL IMPLICATIONS**

8.1 Public Inquiries are normally the only types of appeal that involve the use of legal representation. Only applicants have the right to appeal against refusal or non-determination and there is no right for a third party to appeal a planning decision.

## **9. FINANCIAL IMPLICATIONS**

9.1 Public Inquiries and Informal Hearings are more expensive in terms of officer and appellant time than the Written Representations method. Either party can be liable to awards of costs. Guidance is provided in Circular 03/2009 “Cost Awards in Appeals and other Planning Proceedings”.

## **10. BACKGROUND PAPERS**

10.1 Planning Appeal Forms and letters from the Planning Inspectorate.

## **APPENDIX 1**

### **Appeals Lodged:**

WARD: CHURCH  
APPEAL NO: APP/E0345/W/20/3258305  
CASE NO: 200532  
ADDRESS: 3 Modbury Gardens  
PROPOSAL: The erection of a two-storey side and rear extension to create 2 x no. 2-bedroom flats.  
CASE OFFICER: Tom Hughes  
METHOD: Written Representation  
APPEAL TYPE: REFUSAL  
APPEAL LODGED: 08.10.2020

WARD: ABBEY  
APPEAL NO: APP/E0345/W/20/3250572  
CASE NO: 191097  
ADDRESS: 173-177 Kings Road, Reading  
PROPOSAL: Erection of a 3 storey building to provide 6 (6x2-bed) residential units (Class C3), parking, landscaping and associated works  
CASE OFFICER: Claire Ringwood  
METHOD: Virtual Hearing  
APPEAL TYPE: REFUSAL  
APPEAL LODGED: 14.10.2020

WARD: REDLANDS  
APPEAL NO: APP/E0345/W/20/3259438  
CASE NO: 200123  
ADDRESS: "Dental Surgery, Mulberry House", 1a Eldon Road  
PROPOSAL: Erection of a 3 to 5 storey building and semi-open basement providing 11 (5x1bed, 3x2bed and 3x3 bed) residential units (Use Class C3), 10 parking spaces, landscaping and associated works.  
CASE OFFICER: Jonathan Markwell  
METHOD: Written Representation  
APPEAL TYPE: REFUSAL  
APPEAL LODGED: 15.10.2020

WARD: THAMES  
APPEAL NO: APP/E0345/D/20/3258165  
CASE NO: 200441  
ADDRESS: 31 Peppard Road, Caversham, Reading  
PROPOSAL: Removal of existing hedging and planting to perimeter boundaries fronting road and erection of new fencing and brick piers (Retrospective)

CASE OFFICER: Nathalie Weekes  
METHOD: Householder Written Representation  
APPEAL TYPE: REFUSAL  
APPEAL LODGED: 02.11.2020

WARD: KATESGROVE  
APPEAL NO: APP/E0345/W/20/3260978  
CASE NO: 191607  
ADDRESS: 17 Mount Pleasant  
PROPOSAL: Conversion of dwelling to 1x1 bed and 1x2 bed flats, part one, part two storey rear extension, and erection cycle store

CASE OFFICER: Tom Hughes  
METHOD: Written Representation  
APPEAL TYPE: REFUSAL  
APPEAL LODGED: 09.11.2020

WARD: MINSTER  
APPEAL NO: APP/E0345/W/20/3261092  
CASE NO: 200571  
ADDRESS: 4 Downshire Square  
PROPOSAL: Demolition of existing dwelling house and large detached garage and erection of new building comprising of 3 townhouses and 2 flats

CASE OFFICER: Ethne Humphreys  
METHOD: Written Representation  
APPEAL TYPE: REFUSAL  
APPEAL LODGED: 09.11.2020

WARD: BATTLE  
APPEAL NO: APP/E0345/W/20/3260313  
CASE NO: 200429  
ADDRESS: 1A Stanley Grove  
PROPOSAL: Alterations to a building to create a one bedroom residential dwelling (C3).

CASE OFFICER: Nathalie Weekes  
METHOD: Written Representation  
APPEAL TYPE: REFUSAL  
APPEAL LODGED: 10.11.2020

WARD: TILEHURST  
APPEAL NO: APP/E0345/W/20/3258434  
CASE NO: 200496  
ADDRESS: 8 Riley Road  
PROPOSAL: Demolition of existing dwellings and erection of 4 attached dwellings including access, parking, landscaping and associated works

CASE OFFICER: Connie Davis  
METHOD: Written Representation  
APPEAL TYPE: REFUSAL  
APPEAL LODGED: 13.11.2020

## APPENDIX 2

### Appeals Decided:

WARD: NORCOT  
APPEAL NO: APP/E0345/W/20/3252851  
CASE NO: 200136  
ADDRESS: "The Flat", 615 Oxford Road, Reading  
PROPOSAL: Second storey rear extension and Change of use from C4 HMO to 4 flats (1 x 2 bedroom, 3 x studio)  
CASE OFFICER: Anthony Scholes  
METHOD: Written Representation  
DECISION: DISMISSED  
DATE DETERMINED: 6.10.2020

WARD: REDLANDS  
APPEAL NO: APP/E0345/W/19/3243024  
CASE NO: 191267  
ADDRESS: 69 Northumberland Ave  
PROPOSAL: First floor rear / side extension to facilitate 1no additional self-contained flat. Resubmission of 190719  
CASE OFFICER: Julie Williams  
METHOD: Written Representation  
DECISION: DISMISSED  
DATE DETERMINED: 8.10.2020

WARD: TILEHURST  
APPEAL NO: APP/E0345/W/20/3247779  
CASE NO: 191312  
ADDRESS: "Land Adjacent to", 17 Berkshire Drive, Tilehurst,  
PROPOSAL: First floor rear / side extension to facilitate 1no additional self-contained flat. Resubmission of 190719  
CASE OFFICER: Ethne Humphreys  
METHOD: Written Representation  
DECISION: DISMISSED  
DATE DETERMINED: 14.10.2020

WARD: KATESGROVE  
APPEAL NO: APP/E0345/D/20/3256349  
CASE NO: 200465  
ADDRESS: 26 Canterbury Road  
PROPOSAL: Proposed first floor extension  
CASE OFFICER: Natalie Weekes  
METHOD: Written Representation  
DECISION: DISMISSED  
DATE DETERMINED: 15.10.2020

WARD: ABBEY  
APPEAL NO: APP/E0345/D/20/3257587  
CASE NO: 200147  
ADDRESS: 30 Addison Road  
PROPOSAL: Erection of single storey rear extension (part retrospective)  
CASE OFFICER: Connie Davies  
METHOD: Written Representation  
DECISION: DISMISSED  
DATE DETERMINED: 20.10.2020

WARD: PARK  
APPEAL NO: APP/E0345/W/20/3253531  
CASE NO: 200169  
ADDRESS: 35 Norris Rd  
PROPOSAL: Change of use from a C3 dwellinghouse to a small HMO (C4).  
CASE OFFICER: Alison Amoah  
METHOD: Written Representation  
DECISION: DISMISSED  
DATE DETERMINED: 03.11.2020

WARD: PARK  
APPEAL NO: APP/E0345/W/19/3242252  
CASE NO: 190160  
ADDRESS: Alexander House, 205-207 Kings Road, Reading RG1 4LS  
PROPOSAL: Demolition of the existing office building and construction of a new 182 bed student accommodation development over 7 storeys of accommodation plus lower ground floor together with ancillary landscaping, parking and amenity space.  
CASE OFFICER: Brian Conlon  
METHOD: Hearing  
DECISION: DISMISSED  
DATE DETERMINED: 19.11.2020

### APPENDIX 3

**Address Index of Planning Officers reports on appeal decisions.**

- 69 Northumberland Avenue
- 35 Norris Road
- Land adjacent to 17 Berkshire Drive

**Appeal Ref: APP/E0345/W/19/3242252 - Alexander House, 205-207 Kings Road, Reading RG1 4LS**

This appeal decision centers on whether the site, down Kings Road, provided a suitable location for purpose-built student accommodation (PBSA) having regard to the Local Plan and national planning policies. Amongst other things, the Local Plan seeks to reconcile the competing demands for new student accommodation with those of general housing, and importantly affordable housing. It is worth noting the appeal site is identified as an allocated housing site for 26-38 dwellings and had an extant permission for 56 dwellings on it.

The Local Plan contains a sequential approach to new student accommodation which stipulates that such accommodation will be provided on or adjacent to existing campuses, or as an extension or reconfiguration of existing student accommodation. Crucially, it states that there will be a presumption against proposals for new student accommodation on other sites unless it can be clearly demonstrated how the proposal meets a need that cannot be met.

During the Hearing, the Council and the Appellant disagreed in relation to the extent of the need for PBSA in the Borough, although all acknowledged that due to the range of complex underlying factors that may affect demand and supply it was challenging to ascertain a precise figure. Furthermore, there is no established standard methodology for calculating such need.

However, in order to constitute a shortfall in PBSA, the Appellant's figures presupposed that all students would prefer PBSA accommodation over a shared House in Multiple Occupation (HMO) which the Council disagreed with. The Inspectors agreed that whilst these figures may reflect a potential demand, they did not clearly demonstrate the need for PBSA in particular. Furthermore, in the absence of a nomination agreement with the UoR, it was not clearly shown that the proposal would directly assist with the acknowledged shortfall of 1000 first year student university bed spaces referred to in the Local Plan.

The Inspector highlighted the differences between this appeal site and that of St Patricks Halls, namely, the decision was made prior to the adoption of Policy H12 of the LP; and unlike the appeal site, it was identified under Policy ER1e of the LP for development to intensify the provision of student accommodation.

In concluding, it is interesting to note that in addition to general economic benefits, the Inspector recognised that the proposal would result in a well-designed building that would be rated as BREEAM Excellent, incorporate landscaping and be sustainably located. But noted that these factors would be required to make the development policy compliant in any event, and therefore, considered these to be neutral in the overall balance. She acknowledged the Local Plan's pressing need for housing and a critical need for affordable housing and that the proposal would displace development for these identified needs coming forward on an allocated site. Furthermore, she identified the proposals conflict with the sequential approach to new student accommodation. She gave significant weight to these Local Plan conflicts and concluded that the moderate benefits of the proposal would not justify a determination other than in accordance with the adopted development plan.



This is viewed as an excellent appeal decision which upholds the Local Plan's approach to student accommodation and constitutes the first major policy test for the policies involved.