

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	7 November 2018	AGENDA ITEM:	5
TITLE:	PLANNING APPEALS		
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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 2015 -18 Corporate Plan objective for "Keeping the town clean, safe, green and active."

**5. COMMUNITY ENGAGEMENT AND INFORMATION**

- 5.1 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.

## **6. EQUALITY IMPACT ASSESSMENT**

6.1 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.

## **7. LEGAL IMPLICATIONS**

7.1 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.

## **8. FINANCIAL IMPLICATIONS**

8.1 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”.

## **9. BACKGROUND PAPERS**

9.1 Planning Appeal Forms and letters from the Planning Inspectorate.

## **APPENDIX 1**

### **Appeals Lodged:**

WARD: PEPPARD  
APPEAL NO: APP/E0345/W/18/3207768  
CASE NO: 180526  
ADDRESS: Crombies Oak, Lowfield Road, Caversham  
PROPOSAL: Variation of condition 3 (approved plans) of planning permission 171791 dated 07/12/17 (Demolition of existing dwelling and construction of replacement 4-bed dwelling) namely to incorporate an integral garage  
CASE OFFICER: Ethne Humphreys  
METHOD: Written Representation  
APPEAL TYPE: Refusal  
APPEAL LODGED: 02.10.2018

WARD: PEPPARD  
APPEAL NO: APP/E0345/W/18/3208809  
CASE NO: 172017  
ADDRESS: Land adjacent to 22 Quantock Avenue, Caversham Park Village  
PROPOSAL: Proposed 2 bed single storey dwelling  
CASE OFFICER: Ethne Humphreys  
METHOD: Written Representation  
APPEAL TYPE: Refusal  
APPEAL LODGED: 03.10.2018

WARD: REDLANDS  
APPEAL NO: APP/E0345/W/18/3208163  
CASE NO: 171772  
ADDRESS: 34 Eldon Terrace  
PROPOSAL: Change of use of basement storage rooms to provide 2 x 1 bed flats including retention of lightwell to rear and associated internal and external alterations.  
CASE OFFICER: Anthony Scholes  
METHOD: Written Representation  
APPEAL TYPE: Refusal  
APPEAL LODGED: 09.10.2018

WARD: TILEHURST  
APPEAL NO: APP/E0345/D/18/3212433  
CASE NO: 181086  
ADDRESS: 300 The Meadway  
PROPOSAL: Single storey front, side and rear extension  
CASE OFFICER: Tom Hughes  
METHOD: Written Representation  
APPEAL TYPE: Householder appeal  
APPEAL LODGED: 09.10.2018

## APPENDIX 2

### Appeals Decided:

WARD: KATESGROVE  
APPEAL NO: APP/E0345/W/18/3199152  
CASE NO: 171893  
ADDRESS: The Woodley Arms Ph, Waldeck Street  
PROPOSAL: Erection of two buildings to accommodate a total of 38 student units of accommodation, including parking, amenity space and landscaping, following demolition of existing former public house.  
CASE OFFICER: Stephen Vigar  
METHOD: Written Representation  
DECISION: Allowed  
DATE DETERMINED: 10.10.2018

WARD: ABBEY  
APPEAL NO: APP/E0345/W/18/3204180  
CASE NO: 172127  
ADDRESS: Dogma Ph, 11 Castle Street  
PROPOSAL: Placement of furniture upon public highway  
CASE OFFICER: Nathalie Weekes  
METHOD: Written Representation  
DECISION: Dismissed  
DATE DETERMINED: 24.10.2018

WARD: SOUTHCOTE  
APPEAL NO: APP/E0345/D/18/3211825  
CASE NO: 181136  
ADDRESS: 15a Southcote Lane  
PROPOSAL: Roof alteration to facilitate additional rooms at second floor  
CASE OFFICER: Tom Hughes  
METHOD: Written Representation  
DECISION: Dismissed  
DATE DETERMINED: 24.10.2018

### APPENDIX 3

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

- 28 Wokingham Road, Reading, RG6 1JQ
- The former Woodley Arms PH, Waldeck Street, RG1 2RF

#### Planning Officers reports on appeal decisions attached.

## APPEAL REPORT

**Ward:** Park

**Appeal No:** APP/E0345/W/18/3198800

**Planning Ref:** 171014/FUL

**Site:** 28 Wokingham Road, Reading, RG6 1JQ

**Proposal:** Construction of 9 dwellings (flats) for multiple occupation, accommodating 27 bedrooms with associated 7 parking spaces, bicycle store, motorbike store and bin stores with bins collection point and landscaping. Demolition of existing former petrol station building with canopy.

**Decision level:** Delegated

**Method:** Written representations

**Decision:** Appeal dismissed

**Dates Appeal Determined:** 17 September 2018

**Inspector:** Richard S Jones BA(Hons) BTP MRTPI

### SUMMARY OF DECISION

The Inspector noted the previous approval of a scheme containing 7 flats on the site in May 2016 (150325/FUL).

The Inspector found that the proposed building would effectively fill the site to its margins such that it would appear cramped and overdeveloped, particularly in relation to 2 Hamilton Road, which currently has a spacious frontage that contributes positively to the character and appearance of the conservation area. The Inspector's conclusion includes a useful demonstration of the 'planning balance' in respect of designated heritage assets in accordance with paragraphs 133 and 134 of the NPPF.

The Inspector acknowledged that the existing garage/car wash detracts from the character and appearance of the area but merely improving on this low baseline position carries little weight.

The Inspector noted the change from the urban character of Wokingham Road to the distinctly suburban character of Hamilton Road and criticised the lack of space for landscaping and tree planting in particular, which reinforces the cramped, overdeveloped appearance.

The Inspector found that the proposal would be harmful to the character and appearance of the area, and as a gateway to the Conservation Area, would fail to preserve its setting.

Turning to the amenity of future occupiers of the HMO accommodation, the Inspector agreed with the Council's assessment that the proposed kitchen/dining space is not sufficient to also serve as a sitting area and therefore additional communal space is required. The appeal proposal would be "cramped and oppressive".

The Inspector then considered the outdoor amenity space which was found to be insufficient "to meet the reasonable expectations of future occupants given the relatively high intensity of use" and would not provide relief from the constrained internal areas. The proximity to Palmer Park "would not address the domestic requirements and convenience of on-site amenity space".

In terms of the amenity of neighbours, the Inspector considered that whilst some harmful overlooking would occur, this could reasonably be prevented by obscure glazing secured by condition.

The decision was issued after publication of the revised NPPF which reiterated the





Proposed Elevations

## APPEAL REPORT

Ward: Katesgrove

Appeal No: APP/E0345/W/18/3199152

Planning Ref: 171893

Site: The former Woodley Arms PH, Waldeck Street, RG1 2RF

Proposal: Erection of two buildings to accommodate a total of 38 student units of accommodation, including parking, amenity space and landscaping, following demolition of the existing former public house.

Decision level: Committee (10 January 2018)

Method: Written representations

Decision: Appeal allowed

Dates Appeal Determined: 10 October 2018

Inspector: Richard S Jones BA(Hons) BTP MRTPI

### SUMMARY OF DECISION

The site fronts onto Waldeck Street and is bounded by Charndon Close to the west, an access road serving a row of garages to the east, and a garage court to the south.

A previous appeal for this site, a 40 bedroom student accommodation scheme contained within a single block (APP/E0345/W/16/3162948 / 160558/FUL) was dismissed. The Inspector for that appeal described the site as being *"seen within the context of Waldeck Street, which is characterised by two storey Victorian terraced houses. The houses tend to be sited close to the highway with shallow front gardens. They have consistent architectural features which gives unity to the street scene."*

That Inspector noted that the front and side elevation would be seen together when approached from either the east or west along Waldeck Street and the bulk would have a significant impact on the street scene. Overall, the building would have a greater scale, bulk and mass than the buildings either side and would be a dominant feature in the street scene. The Inspector concluded that the scale and mass of the building would not maintain and enhance the character and appearance of the area, contrary to Policy CS7 and the aims of the NPPF in respect of securing high quality design.

The Inspector for the latest appeal decided that the revised design, which splits the accommodation into two blocks, would reduce the perceived scale and massing compared with the previous single block. The Inspector also considered that the proposals would not appear cramped or overdeveloped.

The Inspector noted that adjacent terraces generally reduce in scale towards the rear. He agreed that the gable ends and crown roof of the appeal scheme would accentuate the scale of the appeal proposal but considered that the isolated nature of the site (with public areas on all sides) means that this is "somewhat inevitable" that it would appear more prominent.

The Inspector found that whilst Block 1 would appear elevated in the approach up the hill from the east, this is a much less open aspect than the approach from the west with screening from boundary walls and trees. The Inspector also reasoned that the use of brick, render and decorative stonework is domestic in character rather than institutional and determined that in overall terms the proposal would not unacceptably disrupt the character of the street scene.

The Inspector found that Block 2 would sit in a more varied built context with less visual unity compared with Waldeck Street and including 3 and 4 storey flats, terraced houses and long rows of garages. The Inspector reasoned that having found no harm in respect of the more prominent Block 1, therefore Block 2 should also not cause unacceptable harm.



The Inspector agreed that due to the nature of the accommodation, parking availability and outdoor amenity space provision, it would not be suitable for use for permanent general occupation and determined that it is therefore necessary to restrict occupancy to students only who are more likely to occupy the accommodation for shorter periods of time.

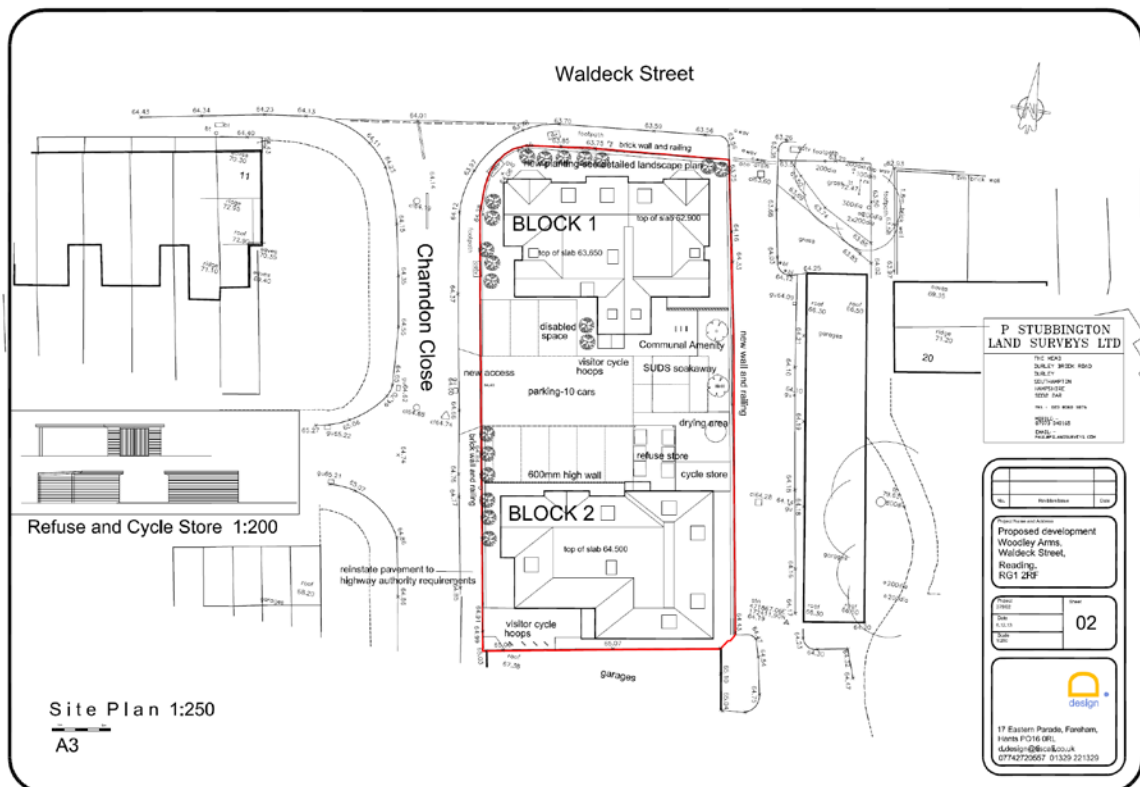
**HPDRS COMMENTS ON THE DECISION:**

This is a disappointing decision which exhibits a degree of inconsistency with previous appeal decisions. However the Inspector does provide a suitably reasoned argument to support their decision.

Case Officer: Steve Vigar



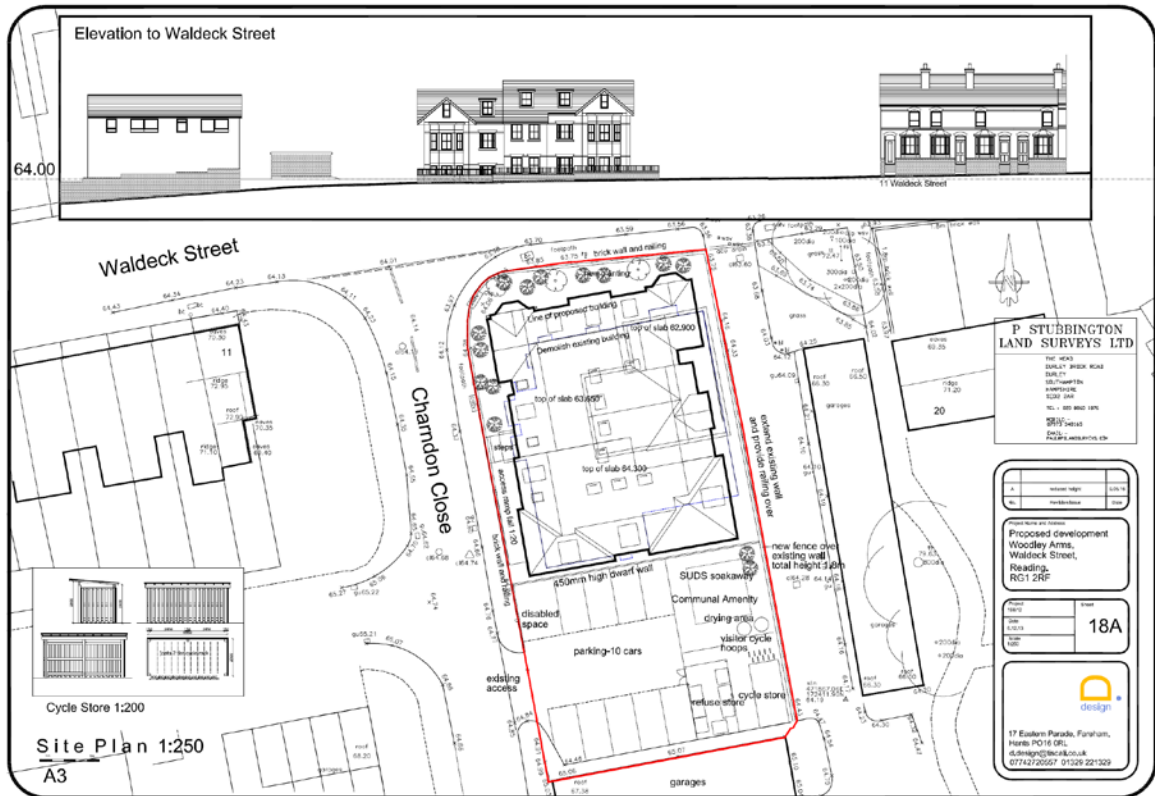
Site Photograph (Google Streetview)



Allowed Site Layout Plan as Proposed



Allowed Elevations as Proposed



Previous Appeal - Dismissed Plans and Elevations as Proposed (for comparison)