

Ward: Katesgrove

Appeal No: APP/E0345/W/20/3265679

Planning Ref: 200639

Site: 13 Kendrick Road, Reading RG1 5DU

Proposal: Erection of single-storey bow roofed garden house comprising two 2-bed flats. Revised private amenity space and parking layout

Decision level: Delegated decision on 09/07/2020

Method: Written representations

Decision: Appeal Dismissed

Date Determined: 04/05/2021

Inspector: James Taylor BA (Hons) MA MRTPI

1. BACKGROUND

1.1 The appeal site related to land to the south of the existing No.13 Kendrick Road, a detached property located on the eastern side of Kendrick Road. It is an unlisted building but one of townscape merit. The site is within the Kendrick Conservation Area with a number of significant mature trees along the site frontage and three trees protected by tree preservation orders within the site.

1.2 A previous application on the site was refused 27/09/2019 for “Erection of single storey flat roofed garden house comprising one 3-bed & one 4-bed flat. Revised parking layout and accommodation works.”.

1.3 The application which was the subject of this appeal was refused under delegated powers in July 2020 for five reasons, which in summary were:

1. Overly prominent development in its context and overdevelopment of the site
2. Detailed design and materials not being sufficiently high-quality (harming the conservation area)
3. Substandard residential accommodation for future occupiers
4. Failure to demonstrate no harm to significant trees and pressure to prune
5. Lack of an appropriate contribution towards affordable housing (and subsequent absence of legal agreement to secure affordable housing).

1.4 The applicant appealed against this decision to the Planning Inspectorate.

2 SUMMARY OF DECISION

2.1 The Inspector considered the four main issues to be:

- The effect of the proposal on the character and appearance of the area having particular regard to the Kendrick Conservation Area and protected trees;
- The effect of the proposal on the living conditions of future occupiers of the development having particular regard to outlook, access to light and external internal space; and
- Whether the proposal makes appropriate provision towards affordable housing

2.2 On the first main issue, the Inspector agreed with the LPA that the proposals would not respect the significance of the Conservation Area and its context. The Inspector considered that the proposals would appear cramped and to the detriment of the spacious context. The Inspector concurred with the LPA that the resultant plot and garden sizes would be out of keeping with the prevailing pattern of the area and therefore the proposals would also not represent an appropriate amount of development in this specific context. The Inspector also considered that the scale of the development was out of keeping with the area, exacerbated by the proposed siting and use of alien materials.

2.3 Following on from the above, the Inspector recognised the importance of the trees lining Kendrick Road and their contribution to the Conservation Area’s significance. The Inspector agreed with the LPA that there was little evidence to demonstrate suitable protection of these trees and was not satisfied that the proposed development would not lead to future significant impacts to these trees. In this respect, the Inspector considered there to likely be

tensions between the management of the trees and living conditions of future occupiers which would unacceptably reduce the trees' contribution to the Conservation Area's character and appearance. The Inspector concluded that overall, whilst the proposals would provide two additional dwellings, this would not outweigh the harm identified to the character or appearance of the area including the Conservation Area and protected trees, conflicting with Policies CC7, H11, EN1, EN3 and EN14.

- 2.4 In terms of the living conditions for future occupiers, the Inspector concurred with the LPA that the lack of any window to rear bedrooms and thereby providing no outlook, would not represent a high standard of living for future occupiers, nor would it reflect good design or promote health and well-being. The Inspector also agreed that whilst private gardens were indicated, the quality of space would be significantly affected by the canopies of existing protected trees which would hinder the functionality of the areas in practice. The Inspector considered that the proposed development would be harmful to the living conditions of future occupiers with particular regard to outlook and external space which would be contrary to Policies CC8 and H10.
- 2.5 Finally, the Inspector concluded that given the lack of completed S106 legal agreement, the proposals failed to contribute to the affordable housing needs of the Borough, contrary to Policies H3 and CC9. Whilst the Inspector acknowledged that Policy H3 is not consistent with the NPPF - where it outlines that the provision of affordable housing should not be sought for residential schemes that are not major developments - the Inspector considered sufficient evidence had been provided by the Council in respect of the level of need for affordable housing within the Borough.
- 2.6 The Inspector concluded that the proposals would conflict with the development plan as a whole and that all the Council's reasons for refusal should be supported and dismissed the appeal.

Head of Planning, Development & Regulatory Services Comment:

This is a pleasing and clear-cut appeal decision, with the Inspector endorsing the conclusion reached by officers and agreeing with each reason for refusal. Officers are pleased that the Inspector recognised the adverse impact the proposed development would have had on the Kendrick Conservation Area, as well as supporting the importance of trees and the contribution they make to the street scene and wider Conservation Area.

Case officer: Ethne Humphreys