

READING BOROUGH COUNCIL: APPEAL DECISION REPORT

PLANNING APPLICATIONS COMMITTEE: 24th April 2024

Ward: Kentwood

Appeal No: APP/E0345/W/22/3313424

Planning Ref: 220637/FUL

Site: Scours Lane, Tilehurst, Reading, RG30 6AX

Proposal: Proposed is drive-through restaurant (Use Class E (a,b)) and sui generis hot food take away, car parking, enhanced landscaping and access arrangements

Decision level: Committee decision on 07/09/2022

Method: Written representations

Decision: Appeal Allowed

Date Determined: 27/03/2024

Inspector: N Robinson BA (Hons) MA MRTPI

1. BACKGROUND

1.1 The appeal site related to an undeveloped, grassed parcel of land located to the south of Scours Lane, near the junction of Oxford Road, Wigmore Lane and Norcot Road.

1.2 In September 2022 the Planning Applications Committee concurred with the officer level recommendation to refuse planning permission for reasons summarised as:

1. Loss of undesignated open space, harm to character and appearance of the area and fragmentation of Green Links
2. Absence of legal agreement to secure proposed mitigating landscaping and wildlife habitat enhancements

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

2 SUMMARY OF DECISION

2.1 The Inspector considered the main issues to be:

- The effect of the proposal on the function of the green link and
- The character and appearance of the area and whether the proposal would deliver adequate landscape mitigation and wildlife enhancements

2.2 The Inspector acknowledged the open, grassed nature of the site, agreeing that it makes a positive contribution to the character and appearance of the area and that it has a high visual amenity value. The Inspector agreed that the Green Links provide visual relief to the area.

2.3 The Inspector agreed that trees within the site (to be removed), have high amenity value and make a positive contribution to the character and appearance of the area. The Inspector concluded, however, that on-site replacement planting proposed would adequately compensate for the trees to be lost, as well as resulting in a net gain in trees within the site as a whole.

2.4 The Inspector acknowledged that the proposal would result in an encroachment of built form at a key junction of Green Links. However, he concluded that as connectivity to other parts of the Green Link would remain, the proposal would not result in its fragmentation. The Inspector concluded that proposed planting and wildlife enhancements would enhance the biodiversity value and visual amenity of the site and that such measures would mitigate any harm arising from the encroachment into the Green Link.

2.5 The Inspector acknowledged that the proposal would introduce development within the prominent area of open space. However, he concluded that the proposed planting would retain a visual buffer to the highway without diminishing the softening function and visual relief provide by the site currently.

2.6 In overall conclusion, the Inspector concluded that the proposal would not result in a

fragmentation of the Green Link, would not harm the integrity and function of the wider Green network and would not harm the character and appearance of the area. The Inspector concluded that proposed on-site planting would enhance the visual amenities of the site and natural environment. Furthermore, the Inspector concluded that no S106 legal agreement was required to secure off-site ecological mitigation, as proposed on-site planting would provide an acceptable net gain.

Other Matters

2.7 Whilst not forming a reason for refusal of the application, the Inspector considered the impact of the proposals on flood risk, due to an objection received by the Environment Agency through the appeal process. The Inspector concluded that the risk of flooding had been properly considered, with no harm arising in this respect.

2.8 The Inspector also commented on other matters raised by third parties (but not considered as reasons for refusal by the Council), in relation to additional traffic, cooking odours, rodent problems, competition from nearby food operators and retail sequential test. None of the other issues were of a concern to the Inspector.

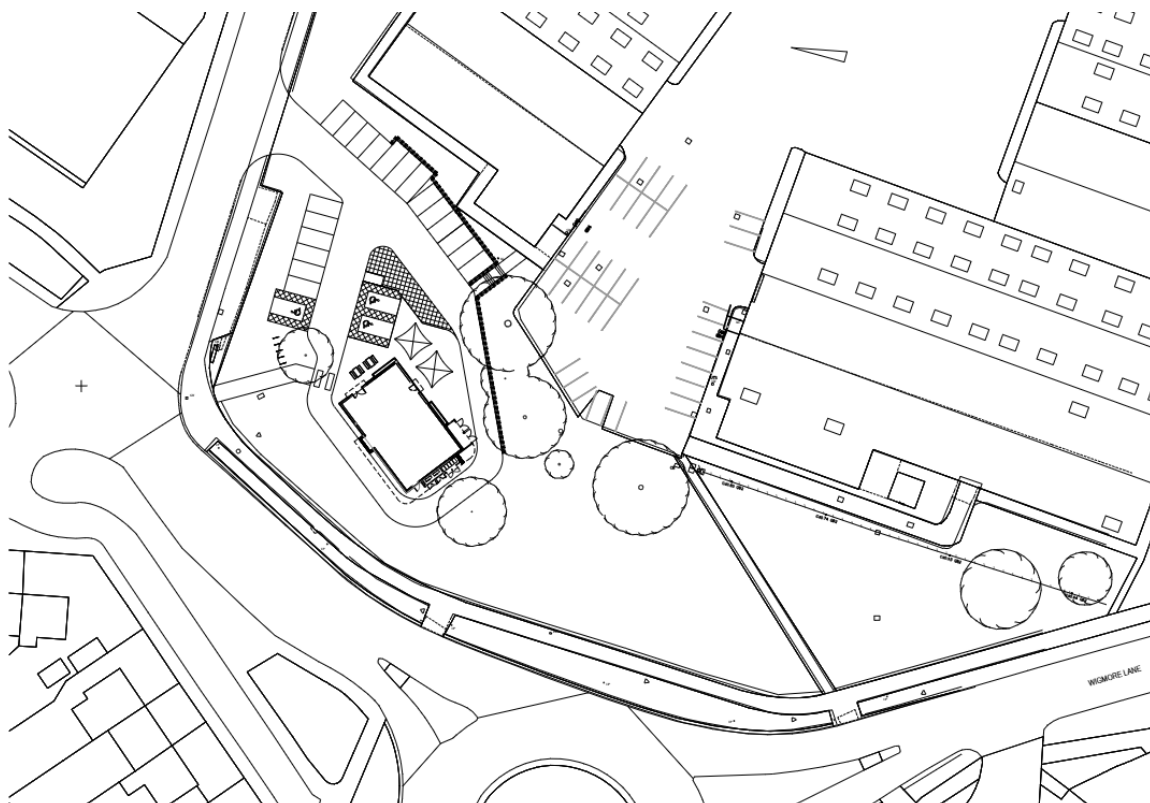
Conclusion

2.9 The Inspector disagreed with all the Council's reasons for refusal and concluded that the appeal should succeed. The majority of conditions imposed align with those recommended by officers during the course of the appeal. The Inspector did not consider a S106 legal agreement to be necessary to secure tree planting beyond the site boundary.

Head of Planning, Development & Regulatory Services Comment:

Having considered the Inspectors findings, officers remain of the view that the proposal would be visually harmful and this is therefore a disappointing decision. However, the Inspector has addressed all material considerations in his decision and is entitled to reach a different conclusion on the merits of the case.

Case officer: Ethne Humphreys



Proposed Site Plan