



**TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER SECTION 78**

**APPEAL BY MR ADRIAN DAVIES AGAINST THE DECISION BY READING BOROUGH COUNCIL TO
REFUSE FULL PLANNING PERMISSION FOR
PROPOSED 2 BED SINGLE STOREY DWELLING**

INSPECTORATE REFERENCE: APP/E0345/W/18/3208809

READING BOROUGH COUNCIL REFERENCE: 172017

LAND ADJACENT TO 22 QUANTOCK AVENUE, CAVERSHAM, READING, RG4 6PY

APPEAL STATEMENT ON BEHALF OF READING BOROUGH COUNCIL

Date: November 2018

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1.0 INTRODUCTION

1.1 Full planning permission was refused by Reading Borough Council under reference 172017 by notice dated 16th February 2018 for the proposed 2 bed single storey dwelling.

1.2 The reasons for refusal were as follows:

1.The proposed dwelling, by reason of its detached character and single-storey design, scale and form, would be distinctly at odds with the established design character of the street, resulting in a discordant effect within its setting. This effect would be

particularly pronounced due to the prominent corner location, the elevated position relative to the road, and intrusion into a distinct visual gap between existing buildings.

Furthermore the proposal would markedly diminish the generally open nature of the site which contributes significantly to the distinctly spacious character at the junction of Quantock Avenue and Montpelier Drive.

For these reasons, the proposed dwelling would appear incongruous and out of keeping with its setting, with consequent harm to the character and appearance of the area. On this basis the proposal is contrary to Policy CS7 (Design and the Public Realm) of the Reading Borough LDF Core Strategy 2008 and Policy DM11 (Development of Private Residential Gardens) of the Reading Borough LDF Sites and Detailed Policies Document 2012 and the NPPF 2012.

2. In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough and the objective of creating mixed and balanced communities and as such is contrary to Policy DM6 (Affordable Housing) of the Reading Borough Sites and Detailed Policies Document 2012 (altered 2015), Affordable Housing Supplementary Planning Document (2013) and para. 50 of the NPPF 2012.

2.0 SITE DESCRIPTION

- 2.1 The application site is a large vacant and open corner plot located in a prominent position at the junction of Quantock Avenue and Montpelier Drive. The site was formerly part of the garden area belonging to No. 22 Quantock Avenue. The site is elevated above the level of Montpelier Drive and Quantock Avenue, and has a diseased Oak tree, which has been crowned and lopped, within the rear garden.

3.0 RELEVANT PLANNING HISTORY

3.1 22 Quantock Avenue

141237 - Erection of bungalow & garage. Refused - Appeal Dismissed

10/01204/FUL - Erection of three bedroom detached house and garage (Resubmission of 09/02172/FUL) - Refused - Appeal dismissed

09/02172/FUL - Land Adjacent to 22 Quantock Avenue - Erection of a three bedroom detached house and garage - Withdrawn

08/00438/FUL - Demolition of garage and utility at 22 Quantock Avenue and erection of detached house and garage - Refused

06/00612/FUL - Two-storey side extension to No. 22 Quantock Avenue - Refused

3.2 15 Newton Avenue (Corner plot directly to south of application site)

10/01038/FUL - Erection of two-bedroom dwelling with car parking - Refused - Appeal Dismissed

4.0 POLICY UPDATE

4.1 It is noted that the LPA's new Local Plan is now at an advanced stage, having been submitted to the Secretary of State on Thursday 29th March 2018 and public hearings of the document closed on 5th October 2018. The adoption not anticipated prior to the end of 2018. Emerging policy can be material considerations and given some weight (bearing in mind paragraph 49 of the Revised National Planning Policy Framework (2018)), although it is acknowledged that full weight cannot be given until adoption.

4.2 However, it is considered that in the general thrust of policies relevant to this appeal remain unaltered.

5.0 RESPONSE TO APPELLANT'S GROUNDS OF APPEAL AND PLANNING CONSIDERATIONS

5.1 The appellant has not submitted any statement with their appeal submission and the Council's case is largely set out in the Officer's Delegated Report and Decision Notice, already submitted as part of this appeal. In addition, the Council would be pleased if the Inspector could take into account the following additional comments before deciding the appeal.

i. The Site and its Surroundings

- 5.2 It is considered that buildings visible from the junction of Quantock Avenue and Montpelier Drive display a good degree of uniformity as identified by Inspector Hetherington (appeal ref APP/E0345/A/10/2136889 - included at appendix 3).
- 5.3 There are other examples of large open areas within the estate, such as that which exists between 8 Montpelier Drive and 15 Newton Avenue immediately to the south of the appeal site. Where houses do continue to the corner, such as 18 Odiham Avenue, 14 Redberry Close and 18 Montpelier Drive, these retain a greater gap of approximately 15 metres between their rear façade and the flank wall of the neighbouring houses to the rear (see appendix 2). This compares to a gap of around 7.5 metres between the rear of the proposed bungalow and the flank of 1 Montpelier Drive.
- 5.6 It appears that no provision was made within the layout of the estate for the provision of an additional house within the gap between No. 22 Quantock Avenue and 1 Montpelier Drive, which were built as close to a tree as possible with a very different layout to the other addresses referred to above.
- 5.7 Notwithstanding the original design intent, whatever that might have been, it is considered that the current spaciousness and openness surrounding the junction is a positive characteristic of the street scene that is particularly noticeable due to the prominent location of the site close to the entrance to the estate and on a main route through the housing area.

ii. The Scheme's Effect on the Area's Character and Appearance ("Issue a")

- 5.9 Whilst there have been changes to the estate since first constructed, viewed from the junction of Quantock Avenue and Montpelier Drive, these are mostly limited to the ground floor and garden areas surrounding the houses. The design elements identified by the previous Inspector (paragraph 4 of appeal decision APP/E0345/A/10/2136889 - see appendix 3) exist at first floor and roof level. These include end gables, a single main roof ridge-line and consistent eaves lines. These elements remain clearly visible above fences and other additions and form a distinctive feature of the area that contributes towards the visual cohesiveness and sense of place within the estate.

- 5.10 Furthermore the surrounding houses in the immediate area on Quantock Avenue, Montpelier Drive and Newton Avenue are two storey semi-detached or terraced dwellings. This distinctive characteristic remains, regardless of any minor alterations that may have taken place, and is fundamentally at odds with the layout, scale and form of the proposed single storey detached dwelling.
- 5.11 The Inspector when determining the previous appeal relating to 10/01204/FUL (see appendix 3) identified a particularly characteristic open and spacious character at the junction of the two roads and determined that the open nature of the site contributes to this. The current appeal proposal comprises a house with broadly the same footprint and siting as that dismissed on appeal. Although lower than the appeal scheme, it would remain readily visible from the street. This is due to the prominent corner position of the site, its elevated position relative to the road, and its intrusion into a distinct visual gap between 22 Quantock Avenue and 1 Montpelier Drive.
- 5.13 Policy CS7 (Design and the Public Realm) requires all development to be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located, including the layout, urban structure and grain, landscape, scale and architectural details and materials. The policy also requires development to make a positive contribution towards character - ‘a place with its own identity and sense of place’. Policy DM11 (Development of Private Residential Gardens) applies as the appeal site formed part of the garden of number 22 Quantock Avenue until recently. This policy requires development to make a “positive contribution” to the character of the area in terms of built form, layout, compatibility with general building height in the surrounding area and elevational detailing. For the reasons set out above, it is considered that the appeal proposal fails in this regard.
- 5.14 The Council notes that the new NPPF 2018 increases the importance of Planning in guiding all aspects of design, including style. It requires development to be “*visually attractive as a result of good architecture...*” and “*sympathetic to local character and history including the surrounding built environment*” (para 127). Paragraph 128 suggests a shift in focus in favour of the “*style*” of development schemes and the need to “*take account of the views of the community*”. It is considered that the conclusions reached by both previous Inspectors’ that the previous schemes would appear incongruous and out of keeping with its setting, also applies to the current proposal.

- 5.15 The Council therefore remains the opinion of the Council that the proposal is contrary to Policy CS7 (Design and the Public Realm) of the Reading Borough LDF Core Strategy 2008 and Policy DM11 (Development of Private Residential Gardens) of the Reading Borough LDF Sites and Detailed Policies Document 2012 and national policy contained within the NPPF 2018.

5.18 AFFORDABLE HOUSING

5.19 Reason for Refusal 2

“In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough, contrary to Policy DM6 (Affordable Housing) of the Sites and Detailed Policies Document 2012 (altered 2015) and the Council’s Adopted Affordable Housing Supplementary Planning Document 2013.”

- 5.20 The decision notice was issued with an informative stating that reason for refusal 2 (Affordable Housing) could be overcome through securing an appropriate contribution towards the off-site provision of Affordable Housing by Section 106 legal agreement as part of a future application. It is noted that the appellant has not offered with this appeal submission a unilateral undertaking or S106 legal agreement for a financial contribution towards Affordable Housing, nor has any financial appraisal of the proposal to suggest that a contribution as sought by the Council would make the scheme unviable. Indeed, no comment as been made at all in this respect.
- 5.21 Policy DM6 is clear that only in instances where it can be demonstrated through viability evidence that the provision would be unviable will the Council forgo or seek a lower contribution. As stated, no viability appraisal has been submitted and it is not considered that the evidence submitted at the application stage or as part of this appeal demonstrates that the development is completely unviable without the submission of some contribution towards affordable housing.
- 5.22 Please see detailed comments in Appendix 6 for the LPA’s position on affordable Housing.

6.0. CONCLUSION

- 6.1 The Local Planning Authority remain of the opinion that, having regard to the provisions of the Development Plan and other material considerations, including the National Planning Policy Framework 2018 and associated guidance, the proposed development remains unacceptable and as such should not be granted planning permission for the reasons set out above.
- 6.2 The Inspector is therefore respectfully requested to dismiss the appeal on the basis of the above assessment and other supporting documentation already submitted with this appeal.
- 6.3 If the appeal is to be allowed, the Council requests that the conditions attached at Appendix 1 are secured.