

FULL STATEMENT OF CASE

PURSUANT TO APPEAL UNDER SECTION 78 OF THE TOWN AND
COUNTRY PLANNING ACT 1990

FOLLOWING REFUSAL OF PLANNING PERMISSION REF: 172325

BY READING BOROUGH COUNCIL

FOR:

*Demolition of Existing Bungalow and Replacement with One x Three Bedroom
Detached House and Two x Four Bedroom Semidetached Houses (Revised Layout
and Decrease in Size of Detached Unit)*

AT:

20 CHALGROVE WAY, EMMER GREEN, READING, BERKSHIRE. RG4 8SJ

Appellant: Mr T Boyes

Local Authority: Reading Borough Council

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1. Introduction

- 1.1. The purpose of this statement is to set out and consider the planning issues arising from Reading Borough Council's (The Council) decision to refuse planning permission for three dwellings on land at 20 Chalgrove Way, Reading.
- 1.2. The statement describes the site, surroundings, proposal, policy context and analyses to identify and explains why the appeal should be allowed.

2. Summary

- 2.1. The site is located within the settlement boundary of Reading in an existing built up area. The area is well located to services, facilities and transport links including shops, schools, open spaces, play areas, allotments, places of worship and public transport.
- 2.2. The Council acknowledges that there is no harm in respect of neighbouring or occupier's amenity, design, biodiversity, trees, access and parking, sustainability, noise, pollution or air quality and that the proposals would contribute positively to the Council's need for housing.
- 2.3. The pattern of development within the area is mixed with a range of dwelling, plot and amenity space sizes and shapes. The proposals exceed the required standards for amenity space.
- 2.4. The Council's assertion that the proposals would result in overdevelopment are inaccurate. There are a range of properties within the immediate area that are smaller, but adequate, in respect of accommodation and amenity spaces.
- 2.5. The proposed garden spaces, as identified in the officer report, share no visual connection with the area. There is therefore no impact on the character of the area. Even if the proposals were considered out of character (which the appellant strongly disputes), the lack of any visual or other connection to the area means there is no harm as a result.
- 2.6. The proposals, where visible, are consistent with the surrounding street scene and wider area and meet all policy requirements.
- 2.7. The scheme is fully compliant with development plan policy, makes a positive contribution to the Council's housing needs, both in respect of the proposed dwellings and a potential contribution toward Affordable Housing and would provide high quality, attractive homes in a sustainable location. The appeal should be allowed without delay.

3. Site & Surroundings

- 3.1. 20 Chalgrove Way is located within the Emmer Green area of the North of Reading. The area is primarily residential in character and contains a wide range of house types, sizes, styles and tenures.
- 3.2. Chalgrove Way is located within the settlement boundary for Reading and falls within the Western Berkshire Housing Market Area as defined by the Strategic Housing Market Assessment (GL Hearn Feb 2016).
- 3.3. Reading Golf Club is located opposite the entrance to Chalgrove Way and is currently subject to an emerging allocation for 90 – 130 homes. This is contained within the Emerging Reading Local Plan, submitted for examination earlier on in 2018.
- 3.4. Just to the south of the Golf Club, approximately 70m from Chalgrove Way is Emmer Green Playing Fields, which includes a large area of informal green space and an equipped area of play, with allotments to the west.
- 3.5. Approximately 350m south of Chalgrove Way is a Local Centre containing a variety of shops and services. Beyond the Local Centre is further open space related to Caversham Park. The aerial photograph 1 below shows Chalgrove way in the North and the relationship to open spaces nearby.



Image 1 – Local Schools

- 3.6. Emmer Green Primary School lies approximately 600m walk from Chalgrove Way to the South West via Kidmore End Road and Grove Road. The Hill Primary School lies approximately 750m south of the appeal site via Kidmore End Road, B481 and Peppard Road. Highdown Secondary School and Sixth Form Centre lies approximately from from the site. The nearby Primary Schools are identified on Photograph 1 above.
- 3.7. The site lies within the established street of Chalgrove Way and is a rectangular parcel of land in residential use measuring approximately 31m in width and 30m in depth. The site is therefore approximately 930 sq m in area. A site location plan is included at Appendix 1.



Image 2 – Chalgrove Way

- 3.8. The site is currently occupied by one single storey, C20th residential dwelling. Within the curtilage lies a detached garage and ancillary outbuilding.
- 3.9. The site is largely obscured from view from Kidmore End Road or the surrounding area.
- 3.10. The existing dwelling is of red brick construction with a tiled and hipped roof and white uPVC fenestration. To the west of the site is a single storey dwelling and to the east a two storey dwelling. The dwellings either side of the appeal site occupy a deeper footprint. The south of the plot fronts onto Chalgrove Way. The North of the plot backs onto the existing rear gardens of two storey dwellings in Twin Oaks.
- 3.11. There is an evergreen conifer in the south east corner of the site and a broadleaved deciduous tree on the northern boundary.
- 3.12. The northern, western and eastern boundaries are currently enclosed with brick walls and/ or timber fences extending. The southern boundary is open onto Chalgrove Way.
- 3.13. Chalgrove Way is a cul-de-sac with no through access, vehicular or other. There are no public rights of way through the site or Chalgrove Way.
- 3.14. Chalgrove Way includes a mix of single storey, two storey, detached and semidetached properties in mid C20th style. Some of the properties have garages and/ or driveways. Others do not.
- 3.15. The properties in Chalgrove Way include a mix of buff brick, red brick and rendered external elevations. Some properties have front gables with hanging tiled detailing. The properties include a mixture of window styles, generally in white uPVC. Walls, hedges and fences can be seen along the frontages of the properties.
- 3.16. The properties generally front onto Chalgrove Way and setbacks from the highway. The the appeal property has a setback inconsistent with other properties within the street.
- 3.17. The plot widths vary throughout Chalgrove Way. The appeal site is the widest plot by a significant margin.

- 3.18. In Chalgrove Way the built form of some properties extends to the boundary line, others have gaps in between.
- 3.19. The majority of the properties within Chalgrove Way have been extended or altered over time, including side extensions, rear extensions, conservatories and dormer extensions. At **Appendix 2** a table sets out property alterations for which planning permission has been sought.

4. The Proposal and consideration by the Council

- 4.1. The application proposes demolition of the existing single storey dwelling and replacement with three dwellings; a pair of semidetached four bedroom dwellings and one detached three bedroom dwelling.
- 4.2. The application was submitted to the Council in December 2017. Following a meeting with officers, amended plans were submitted on 16th March 2018. At **Appendix 3** is a list of the plans on which the council has based its decision.
- 4.3. An extract of the proposed site layout is set out below for ease.

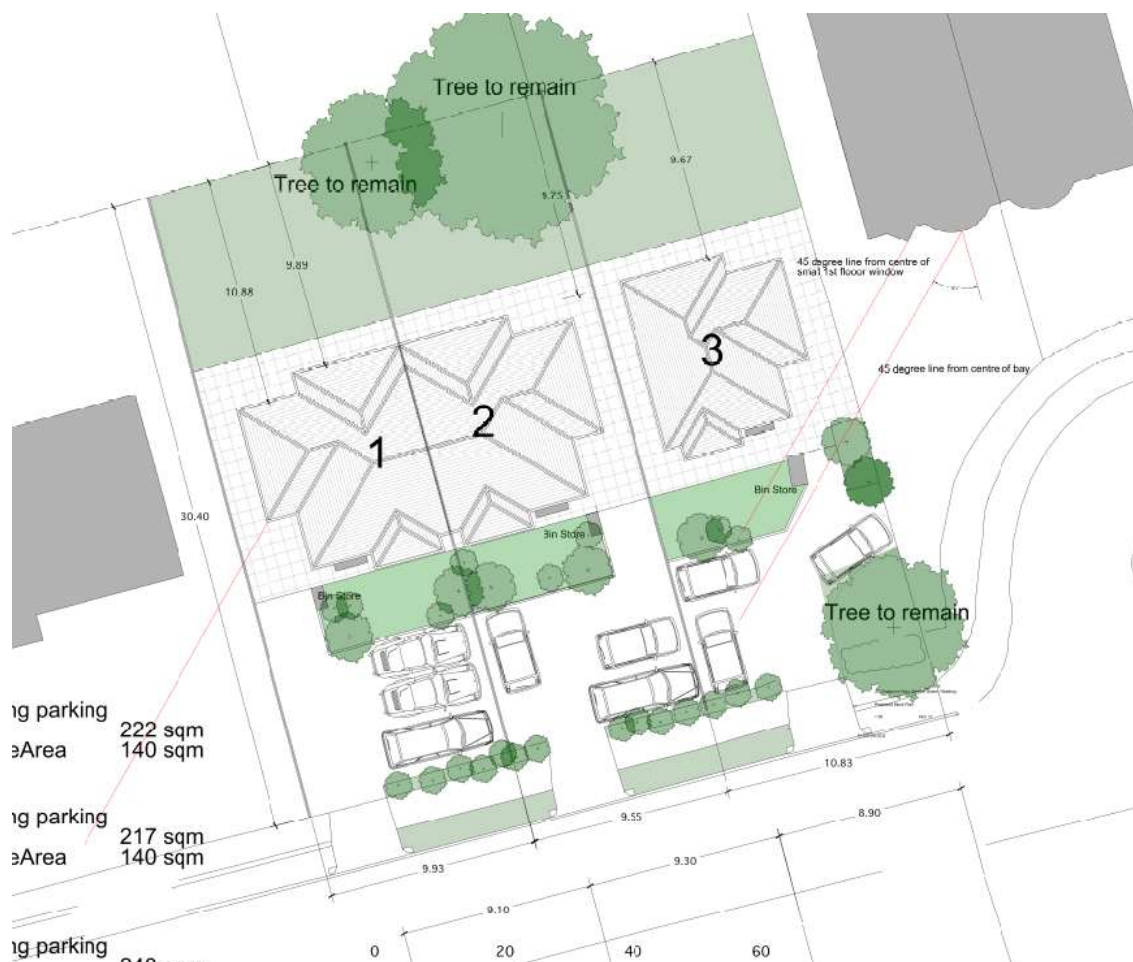


Image 3 – Proposed Layout Excerpt

- 4.4. The proposal seeks to use the existing accesses as well as creating one additional access. The accesses would lead to private driveways with spaces for a minimum of two cars for each dwelling. Each dwelling would be provided with a garden shed for the purposes of cycle and ancillary storage.
- 4.5. The proposals seek to provide front and rear landscaped garden areas of regular shapes, to sizes in excess of the Council's amenity space standards.
- 4.6. Existing trees are to remain.
- 4.7. An excerpt of the proposed street scene is set out below for ease.



Image 4 – Proposed Street Scene Excerpt

- 4.8. During the course of the application the appellant sought to engage with officers, seeking a meeting and amending plans to respond to officers comments.
- 4.9. The decision was made under delegated powers. The officer report is enclosed at **Appendix 4**. In determining the application, the Council relied upon policies its Development Plan Policies DM6, DM10, DM11 and CS7.
- 4.10. The application was refused for two reasons, summarised below:
1. The number of dwellings would result in uncharacteristic plot sizes out of character with the existing pattern of development thereby resulting in overdevelopment, harmful to the character of the area.
 2. The proposal fails to address housing needs of Reading in respect of Affordable Housing by virtue of the absence of a completed legal agreement.
- 4.11. The second reason for refusal could be overcome (if required at all following recent policy amendments set out in the NPPF 2018) through the completion of a Unilateral Undertaking (See **Appendix 5**) to secure a financial contribution for the purposes of Affordable Housing. The contribution (£52,000) has been agreed with the Council (See **Appendix 6**) on the basis of a net gain of two units and in line with their approved method of calculation.
- 4.12. The main area of difference therefore and the primary matter for this appeal is whether the scheme would cause harm in respect of the character of the area and whether the adverse impacts of that harm would significantly and demonstrably outweigh the benefits of the proposal.

5. Planning Policy

- 5.1. Section 38(6) of the planning and compulsory purchase Act 2004 states: "if regard is to be had to the development plan for the purpose of any determination made under the planning acts the determination must be made in accordance with the plan unless material considerations dictate otherwise."
- 5.2. In this case, the Development Plan is the Reading Core Strategy 2008 (Amended 2015) and the Reading Sites and Detailed Policies Document Oct 2012 (Amended 2015).
- 5.3. The principal policies against which these proposals should be considered are set out below.

Reading Core Strategy 2008 (amended 2015)

- 5.4. Policy CS1 sets out environmental sustainability standards for new construction.
- 5.5. Policy CS7 set out that development must be high quality and maintain or enhance the character of the area. The policy sets out criteria that will assessed to ensure development contributes positively to the area. CS 7 was relied upon in refusal reason 1.
- 5.6. Policy CS14 sets out the Council's growth strategy requiring at least 477 dwellings per annum to 2016 and 521 dwellings per annum between 2016 and 2026.
- 5.7. CS15 identifies appropriate density ranges for development and that development should provide a mix of homes. The policy sets out that densities of less than 30 dph will be unacceptable.
- 5.8. Policy CS16 sets out affordable housing requirements at 30% for sites of 15 or more dwellings.
- 5.9. Policy CS17 identifies that planning permission will not be granted for a net loss of residential units.
- 5.10. Policy CS24 sets out maximum car and cycle parking standards for development and identifies the standards to be included within an SPD.
- 5.11. CS35 defines that development will not be permitted where it would increase risks to life or property through flooding.
- 5.12. CS36 highlights that development should retain, protect and incorporate features of biodiversity or geological interest. CS38 sets out tree, hedge and woodland areas to be protected.

Reading Sites and Detailed Policies Document (October 2012)

- 5.13. Policy SD1 reflects the presumption in favour of sustainable development.
- 5.14. DM1 sets out that developments should demonstrate how measures have been incorporated to adapt to climate change
- 5.15. DM4 seeks to safeguard amenity and sets out development should not cause adverse impacts in respect of privacy and overlooking, access to daylight and sunlight, visual dominance/ overbearing effects, noise and disturbance, artificial lighting, vibration, dust and fumes, smell, crime and safety. The policy sets out 20m as a back to back distance between dwellings
- 5.16. DM6 sets out a financial contribution should be provided towards affordable housing for sites of between 1 and 4 units. DM6 was relied upon in refusal reason 2.

5.17. DM10 sets out that dwellings will be provided with functional private or communal amenity space. DM10 was relied upon in refusal reason 1.

5.18. DM11 refers to proposals for development of residential gardens and identifies that proposals are acceptable where they meet a range of points including; an acceptable relationship between new and existing built form and surrounding spaces, a layout which integrates sufficiently in respect of coverage, building lines, rhythm, parking area, patterns of openings and boundary treatments, hard and soft landscaping, building height compatibility, materials and elevational detail, arrangement of fenestration and rhythm between buildings and where the site provides a suitable size to accommodate the proposed development, the access is appropriate and meets highways standards, the proposals does not lead to tandem development, the development does not lead to the exposure of public boundaries where possible, there is no detriment to neighbouring amenity, the emphasis is on the provision of family sized housing, there is no adverse impact on biodiversity and the proposal would not prejudice development of the wider area. DM11 was relied upon in refusal reason 1.

Emerging Reading Local Plan

5.19. The Council submitted its Emerging Local Plan for examination by the Secretary of State on 29th March 2018. Hearings are expected to commence on 25th September 2018. At this stage limited weight can be afforded to the emerging plan given that it has not been formally testing through examination. The contents of the plan however clearly set out the Councils own aims and objectives for the Borough.

5.20. The Council cites no policies from the emerging plan in its refusal.

Supplementary Planning Documents

5.21. The Council has a suite of supplementary planning documents (SPDs) which support its Development Plan. The relevant SPD in this case is the Affordable Housing SPD (2013), which was relied upon in respect of refusal reason 2.

Neighbourhood Plan

5.22. There is no Neighbourhood Plan covering the application site.

Other Relevant Local Policy/ Guidance

5.23. Other relevant Council documents include the Annual Monitoring Report (Dec 2017) (AMR). The AMR identifies the Councils delivery of affordable housing was approximately 15% of the requirement. The AMR sets out that approximately 18% of the Council's supply of housing is to derive from Windfall sites. The conclusions of the AMR include: To ensure a good supply of housing, to ensure a good supply of affordable housing and to ensure a mix of housing and avoid dominance of smaller units

5.24.

National Planning Policy Framework (2018) (NPPF)

- 5.25. The NPPF was revised in July 2018 and this replaces the original version published in 2012. The NPPF sets out the policy framework for the Government's planning policies for England. The NPPF is a material consideration in planning decisions. The NPPF defines the role of the planning system to contribute to the achievement of sustainable development.
- 5.26. Paragraph 9 identifies that planning... decisions should play an active role in guiding development towards sustainable solutions and that character, needs and the opportunities of an area should be considered. Paragraph 11 sets out that decisions should apply "a presumption in favour of sustainable development". Where proposals accord with the development plan they should be approved without delay.
- 5.27. Paragraph 38 defines that authorities should work proactively to secure developments that will improve the economic, social and environmental conditions of the area. Paragraphs 39 – 43 highlight the benefits of pre-application engagement.
- 5.28. Paragraph 47 acknowledges that applications should be determined in accordance with the development plan unless material considerations indicate otherwise and that decisions should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.
- 5.29. Paragraph 48 identifies that weight can be afforded to emerging policies subject to the advancement of the plan preparation, consistency with previous policies and extent of any unresolved objection.
- 5.30. Paragraph 54 defines that Local Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that obligations should only be used where conditions are not possible.
- 5.31. Section 5 of the NPPF relates to housing and a sufficient supply of homes. At paragraph 55 the NPPF states it is important that a sufficient amount and variety of land can come forward. At paragraph 63 the NPPF defines that affordable housing should not be sought for residential developments that are not major developments. At paragraph 68 the NPPF sets out that small and medium sites can make an important contribution to meeting housing requirements and that policies and decisions should support the development of windfall sites giving great weight to the benefits of using suitable sites within existing settlements for homes.
- 5.32. Paragraph 108 sets out that planning decisions should consider appropriate opportunities to take up sustainable transport modes, safe and suitable access to and from the site and any significant impacts on the transport network.
- 5.33. Paragraph 117 promotes the efficient use of land to meet the need for homes and other uses. Paragraphs 122 and 123 support the delivery of homes at appropriate (avoiding low) densities, highlighting that applications should be refused where they do not make efficient use of a site.

- 5.34. Paragraph 127 sets out expectations in respect of design. Notably that development should function well and add to the overall quality of the area, be visually attractive, sympathetic to character and history, maintain a strong sense of place, create safe, inclusive and accessible places and optimise the potential of the site

6. Main Issues

6.1. The applicant sought to address all issues upfront, through the submission of a pre-application enquiry, meetings with officers, submission of amended plans and by agreeing outstanding matters (such as a potential affordable housing contribution) ahead of the issue of a decision.

6.2. The following areas of the scheme are considered acceptable and agreed by the Council and the Appellant and therefore are not reviewed further within this statement of case:

- **Principle** – The site is already developed and has an established residential land use. The proposed redevelopment of the site for residential purposes is acceptable in principle.
- **Design** – The proposed dwellings mirror the design features of the existing streetscene wherever possible in respect of form, scale, materials, detailing, rhythm, and plot position. The officer report states the design of the dwellings is acceptable.
- **Impact on neighbouring amenity** – The relationships to neighbouring plots have been carefully considered. The proposals respect the council's prescribed back to back distances and the 45° rule in relation to habitable room windows. The officer report concludes that the proposals are not considered to result in any significant material loss of light, privacy or overbearing impact. The officer report confirms the proposal is acceptable in respect of impact on neighbouring amenity.
- **Amenity of Future Occupiers** – The officer report sets out that the proposed garden spaces provide inadequate amenity space, however this does not form part of any refusal reason and the proposed dwellings accord fully with the Council's amenity space standards. It is therefore considered that the Council do not have an issue in this regard and the current standards of amenity space identified are acceptable.
- **Transport Issues** – The proposals provide in excess of 2 car parking spaces per dwelling and fully accord with the council's residential parking standards. Cycle parking is to be provided in the form of garden sheds. The council has no objection to the proposals in transport terms.
- **Ecology** – Bat surveys were submitted along with the application and no objections have been raised by the council in regards ecology.
- **Natural Environment** – Existing trees are sought to be retained and suitably worded conditions in respect of landscaping can be provided.
- **Sustainability** – The proposed dwellings would be constructed to a high standard in accordance with current Building Regulations. The council raises no objection in regard sustainability.

6.3. The outstanding issues therefore remain as:

- Whether there is a need for an affordable housing contribution and the mechanism by which it may need to be secured.

- Whether the plot sizes are out of character with surrounding development and whether this would result in harm to the character of the area.

Affordable Housing Contribution

- 6.4. Policy DM6 of the Reading Sites and Detailed Policies DPD (2012) sets out that a contribution should be provided in respect of affordable housing for sites of between 1 and 4 units. In this case there is a net gain of 2 units.
- 6.5. Since determination of the application, the NPPF has been revised and now sets out that affordable housing or contributions for such contributions should not be sought on minor sites (i.e. sites of less than 10 units). This is inconsistent with the Council's policy at DM6 which requests Affordable Housing Contributions for sites of between 1 and 4 units. Policy DM6 is supported by a High Court Judgement issued on 31st July 2015 (which was subsequently quashed in the Court of Appeal). The Council decided on 13th July 2016 to continue seeking affordable housing on small sites. The high court decision was concerned with the validity of the Written Ministerial Statement and National Planning Practice Guidance as the basis for policy. The Government's position is however now clearly set out within the NPPF (2018) as primary policy and as such in the appellants view, the NPPF (2018) is the most up to date applies.
- 6.6. Enclosed within this appeal at Appendix 5 is a draft Unilateral Undertaking (UU) which includes for a contribution toward affordable housing of £52,000. This contribution is equivalent to 5% of GDV and calculated on the methodology set out within Reading's Affordable Housing SPD 2013. This figure is agreed with the Council (See Appendix 6). The UU is drafted in a format previously used and approved by the Council.
- 6.7. The revised NPPF (2018) is a material consideration in this case, provides a clear and up to date policy position and affordable housing contributions should not be sought for this development. Notwithstanding this, there is inconsistency between the national and local position and this is a matter for the inspector and therefore the UU is included. This enables refusal reason 2 to be fully addressed in either scenario irrespective of the inspector's position on the NPPF amendments.
- 6.8. It is considered therefore that refusal reason two can and has been fully addressed and should not form a reason for dismissal of this appeal.

Uncharacteristic Plot Size & Impact on Character of the Area.

- 6.9. As an established residential street, Chalgrove Way includes a mix of properties, including a ranges of sizes, widths, depths and heights. The majority of properties have been extended under permitted development or via planning permission. A summary of the changes made via planning permission is included at Appendix 2. The streetscene is therefore residential but mixed.
- 6.10. The appeal site is unusual within the streetscene in its current form. The plot is significantly wider than all other plots within the street at 30.8m. The proposed plot widths proposed (9.93m, 9.55m and

10.83m) are representative of Chalgrove Way. The widths of the plots immediately opposite are 9.10m, 9.30m and 8.9m.

House Number.	Dwelling Depth (m)	Dwelling Width (m)	Frontage Depth (m)	Rear garden Depth (m)	Gap to Neighbouring Dwellings (m)
Proposed Detached	9	8	12	10	4
Proposed Semi 1	10	8	10	10	4
Proposed Semi 2	10	8	10	10	5
2	10	7	8	20	8
3	10	8	8	20	5
4	10	8	7	30+	-
5	10	8	7	30+	4
6	11	8	7	30+	-
7	14	8	7	30+	5
8	16	8	8	30+	-
9	14	7	8	30+	2
10	11	9	6	30+	-
11	11	8	6	30+	3
12	13	14	6	23	-
13	11	8	6	23	4
14	13	12	6	16	-
15	13	7	6	16	3
16	14	7	7	19	-
17	14	7	7	19	4
18	15	8	6	20	-
19	15	8	6	20	13
20	8	16	13	6	3
21	12	18	10	7	3
22	11	14	9	10	3
23	12	13	7	11	5
24	15	14	2	12	-

Table 1 – Existing Dwelling Characteristics (to nearest metre)

6.11. The proposals therefore would serve to create a balanced and rhythmical streetscene having due regard to the general pattern of development. The relationship with the plots immediately opposite is identified on the Proposed Layout.

6.12. The design of the proposed dwellings draws on the existing properties and included the following elements consistent with the existing streetscene. The Council consider the design in character with the area:

- Roof pitch, form, materials and detailing
- Front gable detail and bay windows
- Replicating sill and eaves heights and detailing
- Form, position, detailing and materials of fenestration

- Inclusion of vertical tiling on front elevation
- Brick arch over entrance door
- Replication of entrance door position, detailing and materials
- Elevational treatments

The proposed dwellings will therefore merge seamlessly into the existing streetscene, preserving and enhancing the existing character in respect of design and materials.

6.13. Should it be considered necessary (and be compliant with the tests set out within the CIL Regulations at Regulation 122 and 123) a suitably worded condition could be imposed on the appeal decision to ensure appropriate materials. A list of suggested conditions is included at **Appendix 7**.

6.14. The proposed dwellings include a pair of semidetached dwellings and one detached dwelling. The dwellings are of a similar width to most of properties in the streetscene. The widths of existing and proposed properties can be found at **Table 1**. Existing semidetached dwellings vary in width (between 7m approx. and 14m approx.). Plot widths and the gaps between them also vary significantly. The regular form of the streetscene has been amended over time with the introduction of side extensions, garages and dormer extensions (See **Appendix 2**). The assertion that dwellings of this width represent overdevelopment and out of character development is therefore inaccurate.

6.15. Plot depths vary within Chalgrove Way. Properties on the northern side have generally shallower rear gardens (between 6m and 12m) than those to the south (between 19m and 30+m). More generally within Emmer Green and the surrounding area plot depths vary significantly.

6.16. Emmer Green is generally characterised by two storey semidetached and detached development. There is a local centre nearby, including some commercial, retail and flat development. Opposite Chalgrove Way lies Reading Golf Club which is the subject of an emerging allocation for between 90 – 130 homes within the Reading Local Plan which has recently been submitted for examination.

6.17. Properties within Lyefield Court immediately west of Chalgrove Way have a shallower form of plots (rear garden depths of between 4m and 12m), as do properties to the east in Abingdon Drive (two storey dwellings with some 4m rear garden depths), Elstow Avenue (two storey dwellings with 5m rear garden depths), Fraser Avenue, Birchwood Close and beyond. To the north, some properties in Twin Oaks (two storey semidetached dwellings with 12m deep gardens) and Kidmore End Road (two storey dwellings with 10m rear garden depths) also have shallow rear gardens. To the east properties within Wetherby Close and Yarnton Close (two storey properties with 10m and 8m rear garden depths respectively) are also characterised by shallower garden depths. Conversely narrower and deeper garden depths are found along some parts of Kidmore End Road, Peppard Road, to the north in Burnham Drive and parts of Twin Oaks. It is reasonable to say therefore that shallow garden depths are both numerous and intrinsically characteristic of the area within and immediately surrounding Chalgrove Way.

6.18. The proposed dwellings are therefore entirely characteristic of the streetscene and wider area in respect of garden depth.

6.19. Moreover, in Chalgrove Way, the relationship of the dwellings to the rear gardens means that the rear gardens are not visible within the streetscene or beyond. This is in itself a characteristic of Chalgrove Way. Chalgrove Way is a Cul-de-sac and has limited connection with the wider area. The result is that there is no ability for the dwellings to impact on the character of the area as a result of their rear gardens.

6.20. The proposed rear gardens are a minimum of 9.7m deep. The gardens of the properties beyond in Twin Oaks are 17m deep. There is a "back to back" distance of at least 26.7m therefore between the proposed and existing dwellings. This is in excess of the distance set out in the Council's Development Plan (at policy DM4). The proposed dwellings are therefore entirely policy compliant and acceptable in respect of back to back distances.

6.21. The proposed rear garden space for each dwelling is in excess of the Council's standards. Policy DM10 and its subtext requires that the amenity space be in excess of 50% of the area of the proposed dwelling. The policy text sets out that: *"In determining the appropriate level of private and communal open space for the new development, the constraints of the site and the extent of deprivation of public open space within the proposed scheme will be taken into consideration and that for houses: Useable private outdoor space should be no less than the gross floor area of the dwelling to which it relates (measured externally and including garage space)."*

6.22. This is the case for each proposed dwelling, as set out below:

Dwelling 1 – Garden Area (excluding parking) 222sq m/ Gross External Area of Dwelling 140 sq m (63%)

Dwelling 2 – Garden Area (excluding parking) 217 sq m/ Gross External Area of Dwelling 140 sq m (65%)

Dwelling 3 – Garden Area (excluding Parking) 240 sq m/ Gross external Area of Dwelling 115 sq m (50%)

It should also be noted that this excludes parking areas and therefore represents a 'worst case' position. It is clear therefore that the proposed dwellings are well in excess of Council standards and acceptable in respect of the scale of their amenity spaces.

6.23. Chalgrove Way is within easy reach of the following areas of Public Open Space

- Emmer Green Playing Fields, including equipped play area and allotments (170m approx.)
- Caversham Park, including tennis courts, Cricket Pitch and informal open space (600m approx.)
- Playing Fields, Tennis Courts and Skate Park off Caversham Park Road (900m approx.)

The Local Green Space and Public Open Space Background Paper (Mar 2018) identifies some areas of Reading which are considered to be deficient in Public Open Space. Emmer Green is not considered one of those areas.

6.24. The proposed rear garden spaces are of regular shapes and directly related to the dwelling entrances. The spaces are suitably overlooked by residential windows and enclosed with residential boundary treatments. They are logical and usable spaces that would provide quality space associated with residential

living. The spaces are therefore the proposals are entirely acceptable in respect of the scale and position of the rear amenity spaces.

- 6.25. The front building line of the dwellings is staggered to softly amalgamate new development into the existing streetscene and maximise amenity for neighbouring residents and future occupiers. The front building lines are set between 10.4m and 12.4m from the highway boundary. This is consistent with Chalgrove Way which ranges between 2m and 13m (identified in Table 1). The proposal is therefore characteristic of Chalgrove Way in respect of building line and front garden depth.
- 6.26. The proposed dwellings include reasonable gaps between them consistent with the streetscene. A range of extensions and alterations to other properties (See **Appendix 2**) mean that in some cases there are limited gaps between existing properties (as small as 2m and as large as 13m). The proposed dwellings have gaps of between 4m and 5m. This is wholly characteristic of the streetscene.
- 6.27. The proposal includes for retention of the existing trees on the South East corner of the site, adjoining the front boundary and on the rear northern boundary. Whilst the trees do not have any formal designations, it is considered they add value to the streetscene and assist in framing the scale of development and therefore they are proposed as retained. Combined with a high quality landscaping scheme (which could be conditioned – See **Appendix 7**) the proposals contribute positively to the character of the area in respect of landscaping.
- 6.28. When reviewing each element of the proposal therefore it is clear that the proposal is entirely characteristic of surrounding development and that no harm could result even if the proposals were perceived not to be such. Furthermore, the proposals being entirely consistent with the surrounding development means that it is unreasonable to perceive the proposals as overdevelopment. The proposals sit comfortably within the plots with suitable sized and logical, regular shaped spaces around them. Excessive rear garden spaces are often not preferred by those in urban/ sub-urban settings and appropriately sized manageable spaces may well be preferred. The proposals are therefore consistent with the character of the area, appropriate to provide suitable standards of amenity and an attractive proposition for the market. The proposal therefore does not represent overdevelopment.
- 6.29. In summary and for the following reasons, the proposals are considered appropriate development within Chalgrove Way, the development is consistent with the aims and objectives of the Development Plan and no harm can be articulated as a result of the proposals, the presumption in favour of sustainable development should be applied, and the appeal allowed:
- The proposed dwellings are consistent with the existing characteristics of the street and surrounding area.
 - The plot sizes and dwelling scale and position within the plots are consistent with the existing streetscene and the wider area and result in no loss of amenity to neighbouring residents.

- The form, detailing, design and materials proposed are consistent with the streetscene and surrounding area.
- There is no connection between the rear garden spaces and the streetscene or wider area and as such no harm can result to the character of the area by virtue of the scale of the rear gardens.
- The rear gardens are fully compliant with the Development Plan in respect of amenity space standards and therefore there cannot be considered to be a loss of amenity to future occupiers.

6.30. In the interests of absolute clarity, the table below sets out clearly the policy compliance in relation to the policies contained within the Council's refusal reason 1 (overdevelopment and impact on the character of the area).

Policy Ref	Policy Requirement	Design Response
DM11 (a)	Positive Contribution to the Character of an Area	The proposals are more consistent with the streetscene and character of the area than the existing bungalow by virtue of design, scale, form, materials, detailing.
DM11 (b)	Adquate size to accommodate Development	The proposals result in external amenity space and parking areas in excess of Council standards. The frontages are consistent with the majority of properties within the street and rear gardens are well in excess of minimum back to back distances. The gaps between the proposed and existing properties are consistent with the area and sufficient to avoid any impact on neighbouring amenity.
DM11 (c)	Suitable Access	Suitable access is proposed utilising existing accesses where possible and no objection has been raised by the Council's Transport team.
DM11 (d)	Unacceptable Tandem Development	The proposals do not include any tandem development.
DM11 (e)	Design minimises private boundary exposure to public areas	The rear garden spaces cannot be viewed from the public highway or any other vantage points. Suitable boundary treatment can be used to ensure maximum standards of amenity and security for future occupiers.

DM11 (f)	Impact on residential amenity	The Council has confirmed there is no impact on the amenity of neighbouring residents as a result of the proposals. There are sufficient gaps between existing and proposed properties and the position of the dwellings within the plot and depth of the proposed dwellings avoid any adverse impact. The amenity of future occupiers would be excellent with high standards of sustainability in attractive, high quality up-to-date homes with well-designed intuitive interiors, sufficient, secure and attractive garden spaces and adequate opportunity for private car and cycle parking.
DM11 (g)	Emphasis on provision of family housing	The proposals result in attractive liveable family homes in close proximity to a range of amenities, including primary and secondary schools and areas of equipped and informal play.
DM11 (h)	No adverse impact on biodiversity	No negative impacts on biodiversity would result from the proposal. The existing trees would be retained and further landscaping provided.
DM11 (i)	Does not prejudice development of wider area	The proposals would have no impact on wider development. The street is self-contained by virtue of being a no through road and the proposals are well designed and characteristic of the existing street.
DM10	Provision of private amenity space for houses	Each proposed dwelling has private amenity space in excess of Council standards. The spaces are logical and of a scale suitable to accommodate activities associated with day to day living
	Design respects scale and character of similar spaces in the vicinity	The scale and position of the amenity space is similar to a range of other residential properties within the vicinity and shares no visual connection to the streetscene or beyond
	Enhance safety or perception thereof.	The spaces as designed are logical and clearly related to the proposed dwellings. The spaces are easily defensible by way of residential style boundary treatments and back onto existing residential development and

		therefore cannot be accessed by the rear. The front garden spaces and parking areas are clearly private and can be separated from the wider streetscene through appropriate boundary treatments and high quality landscaping.
	Not compromised by relationships with other buildings	The dwellings are positioned and sized such that no loss of amenity would result to neighbouring or future occupiers of the proposed dwellings. Openings are positioned to maximise outlook and light for occupiers whilst preventing any loss of amenity to neighbours. The position and depth of the proposed dwellings is such that no detriment would result.
CS7	High quality design	The proposed dwellings are high quality in respect of design, detailing, materials and sustainability
	Maintain/enhance character of the local area of Reading in which located	The proposals respect the existing character and provide an enhanced level of accommodation that better reflects the existing character of the street and surrounding area.
	Layout, structure, urban grain	The proposed layout is compatible and respectful of existing development. The use of land is efficient without being dense.
	Landscape	Existing trees will be retained and high quality landscaping will be provided to new dwellings.
	Density and Mix	The proposed mix is geared toward family housing as per DM10 and supports the Councils aims. The density is an improvement on the current situation and supports the principles of the NPPF to make efficient use of land.
	Scale, Height and Massing	The scale, height and massing of the proposed dwellings are consistent with the surrounding dwellings within the streetscene and the wider area.
	Architectural Details and Materials	The proposed detailing and materials reflects existing dwellings wherever possible and will serve to enhance the quality of the streetscene

	Character	The proposed dwellings build on the characteristics of the existing dwellings and the wider area to create attractive, well designed and entirely appropriate development
	Continuity and Enclosure	The development would continue the existing form, detailing, building line, height, width, gaps between dwellings. The proposals therefore display continuity. The proposals would enable enclosure to all rear areas and the rear spaces would share no connection with the streetscene or beyond
	Quality of public realm	The front garden spaces would be attractively landscaped and provide attractive and appropriate relationships to the public realm
	Ease of movement/ legibility	The dwellings are logical and provide a straightforward and intuitive relationship with the streetscene.
	Meets a range of needs	The proposed dwellings are appropriate for family living and are of a form that is adaptable can be utilised by a range of people for a range of needs.
	Responds to local context	The design, form, positioning, scale, amenity space and all other aspects of the development respond positively to local context, reinforcing the existing character of the area.
	Safe, Accessible, Usable space	The proposals provide private and contained amenity space and secure off road parking for cars and bicycles. The amenity space is contained and suitably overlooked.
	Visually attractive, high quality form, materials, landscaping	The proposals maximise the opportunities to take references from the existing form, materials and detailing of the streetscene and develop a high quality and attractive scheme that adds value and character to the street.

Table 2 – Policy Compliance

6.31. The application is fully in accordance with national and Local Policy and results in no discernible harm and therefore the appeal should be allowed.

7. Planning Benefits

7.1. The proposals result in the following positive consequences:

- The proposals offer the potential for a contribution towards affordable housing in the Borough, subject to the compliance with the NPPF (2018).
- The proposal would result in a net gain of two units that would positively contribute to the need for housing in Reading, where council relies on 'windfall' for a significant proportion of its housing supply.
- The proposals would provide attractive and high quality family housing to meet a local need in a location well related to existing facilities, including schools, shops, transport links and public open spaces.
- The proposals would result in more efficient homes in comparison to the existing dwelling that would result in enhanced levels of energy and water efficiency in line with current building regulations standards
- The proposals would result in CIL receipts for the Council, a proportion of which would be directed towards the appropriate town/ parish council to spend locally on enhancing infrastructure.
- The proposal would ultimately result in additional council tax receipts with a requirement for very limited additional spend, given their location within an established residential street.
- The proposals would improve the streetscene by way of providing dwellings better related to the style and form of the existing street.
- The proposals would result in an improved landscaping offer thereby enhancing the quality of the streetscene.
- The proposals would result in liveable intuitive, adaptable and energy efficient homes to provide an excellent standard of living to future occupiers.

8. Conclusions & Planning Balance

- 8.1. The Council are satisfied that the proposal is compliant with the Development Plan and causes no significant harm in respect of; the principle of development, the design of the dwellings, the impact on neighbouring amenity, the amenity of future occupiers, transport and parking, ecology and landscaping, impact on the natural environment, sustainability and affordable housing.
- 8.2. The outstanding issues between the parties are Affordable Housing and the Impact on the Character of the Area/ Overdevelopment of the site.
- 8.3. A commuted sum in respect of Affordable Housing is offered and agreed with the Council. In light of the revised NPPF (2018) however this may not be required. As such the inspector has options before them to resolve refusal reason 2 in either event.
- 8.4. The appeal statement clearly sets out that when broken into its constituent parts, the proposals are entirely compliant with policy and result in no significant harm. The proposals provide attractive, well designed, suitably sized dwellings with policy compliant, reasonably sized and well related amenity spaces that share no connection with the streetscene or surrounding area. The negative impact on the streetscene and the character of the area is therefore minimal and does not represent out of character development or result in over development of the site.
- 8.5. The proposal provides an efficient use of land which contributes positively to the Council's need for housing and to the character and appearance of the area.
- 8.6. The appeal should be allowed.