



Appeal Decision

Site visit made on 5 December 2018

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2019

Appeal Ref: APP/E0345/W/18/3208809

Land adjacent to 22 Quantock Avenue, Caversham, Reading, RG4 6PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Adrian Davies against the decision of Reading Borough Council.
 - The application Ref 172017, dated 13 November 2017, was refused by notice dated 16 February 2018.
 - The development proposed is a 2 bed single storey dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application form refers to the address of the appeal site as being 22 Quantock Avenue. I note that this was modified to refer to Land adjacent to 22 Quantock Avenue and I have therefore adopted this address as it more accurately describes the appeal site shown on the appellants Location Map.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - whether the proposal provides an acceptable contribution towards the delivery of affordable housing

Reasons

Character and Appearance

4. The appeal site comprises an area of land on the corner of Quantock Avenue and Montpelier Drive. The site is overgrown and is enclosed by timber fencing on three sides. There is a small single storey prefabricated garage in the south eastern corner of the site. The evidence before me indicates that the appeal site previously formed part of the garden to 22 Quantock Avenue.
5. Notwithstanding the presence of the garage and the boundary fencing, the appeal site has an undeveloped character which contributes to the general sense of openness that there is at the junctions between Montpelier Drive and

Quantock Avenue and Montpelier Drive and Newton Avenue. At these junctions the dwellings generally have front or side gardens of depths or widths creating space in the local streetscene, purposefully planned into the estate layout to provide relief to what is otherwise a quite intensely developed area of semi-detached and terraced houses. There are other similar areas of land to be found throughout the locality, which individually and collectively make a positive contribution to the open and spacious character of the estate. For these reasons, I consider that the proposed development would unacceptably reduce the openness at this point in the streetscene and would be harmful for the area's appearance.

6. The site is also located at a slightly higher level to both Quantock Avenue and Montpelier Drive. I consider that this elevation and the site's corner location would serve to accentuate the incongruity of siting what is essentially a single storey dwelling within this prominent plot. Even with its single storey design the appeal proposal would still have a significant footprint and bulk, resulting in the loss of this open and spacious corner, which is a positive and pleasing feature of the character and appearance of the area.
7. Whilst the proposed development would have a lesser footprint compared with the proposal subject to the dismissed appeal in 2015 (ref. APP/E0345/W/15/3014896), I consider that the appeal development, for the reasons given above, would not sit comfortably within its plot and would look out of place within the local streetscene. I therefore consider that the proposed development has not overcome the concerns that led to the dismissal of the previous appeal. All the surrounding properties have a uniform design and appearance, comprising either semi-detached or terraced two storey properties with consistent ridge lines, shallow pitched roofs and gable ends of the same height and width. In comparison to this, the appeal proposal would appear incongruous in the street scene due to its single storey design and would fail to integrate with the prevailing townscape of the area.
8. For the reasons given above, I conclude that the development would cause unacceptable harm to the character and appearance of the area. I therefore consider that the development would be contrary to Policy CS7 of the Reading Borough Local Development Framework Core Strategy of 2008 and as altered in January 2015 (CS) and Policy DM11 of the Reading Borough Local Development Framework Sites and Detailed Policies Document of 2012 and as altered in January 2015 (SDPD), and paragraph 127 of the National Planning Policy Framework (July 2018) (Framework). That is because the development would not be of a quality that would positively respond to its surroundings and maintain and enhance the character and appearance of the area.

Affordable housing

9. The second reason for refusal relates to the lack of a legal agreement having been submitted to secure the making of an appropriate financial contribution towards the provision of affordable housing. The appellant has submitted an unexecuted Unilateral Undertaking (UU)¹ which would obligate the landowners and their successors in title to make an affordable housing contribution of £12,500. While a draft UU was also submitted with the planning application the Council has given no indication as to whether a contribution of £12,500 would be acceptable.

¹ The submitted Unilateral Undertaking neither being dated or signed

10. Policy DM6 of the SDPD and the Council's Affordable Housing Supplementary Planning Document (SPD) state that on sites of one to four dwellings a financial contribution should be made that will enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the Borough. However, paragraph 63 of the Framework states that the provision of affordable housing should not be sought for residential developments that are not major developments (defined as 10 or more homes).
11. There is therefore a conflict between the national and local thresholds relating to the provision of affordable housing. The Council's evidence shows a very high need for affordable housing in its area and challenging circumstances which justify the need for small sites to make a contribution as an exception to national policy. The Council has also made reference to a number of appeal decisions in the Borough where Inspectors have supported the securing of affordable housing in connection with schemes for less than 10 dwellings. On the basis of the evidence before me, it appears that the need for the contribution would satisfy the three tests in Regulation 122(2) of the CIL Regulations 2010 and the tests for planning obligations set out in the Framework.
12. The appellant has not disputed the requirement for a contribution to affordable housing provision and the unexecuted UU seeks to address this issue. However, as the UU has not been executed I consider that no weight can be attached to it. In the absence of an executed UU having been submitted I conclude that the development would not make an acceptable contribution towards the delivery of affordable housing and would therefore be contrary to Policy DM6 of the SDPD and the SPD. That said, if the development had otherwise been acceptable, then I would have given the appellant an opportunity to submit an executed UU.

Other Matters

13. With respect to the matter of access and parking, based on the evidence before me and my own observations on site, I am satisfied that there would not be any harm to highway safety. I note in this respect that the local highway authority raised no objection to the proposed development.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR