

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	7 September 2016	AGENDA ITEM:	5
TITLE:	PLANNING APPEALS		
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1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To report notifications received from the Planning Inspectorate on the status of various planning appeals.

2. RECOMMENDED ACTION

- 2.1 That you note the appeals received and the method of determination as listed in Appendix 1 of this report.
- 2.2 That you note the appeals decided as listed in Appendix 2 of this report.
- 2.3 That you note the Planning Officers reports on appeal decisions provided in Appendix 3 of this report.

3. INFORMATION PROVIDED

- 3.1 Please see Appendix 1 of this report for new appeals lodged since the last committee.
- 3.2 Please see Appendix 2 of this report for new appeals decided since the last committee.
- 3.3 Please see Appendix 3 of this report for new Planning Officers reports on appeal decisions since the last committee.

4. CONTRIBUTION TO STRATEGIC AIMS

- 4.1 Defending planning appeals made against planning decisions contributes to producing a sustainable environment and economy within the Borough and to meeting the 2015 -18 Corporate Plan objective for "Keeping the town clean, safe, green and active."

5. COMMUNITY ENGAGEMENT AND INFORMATION

- 5.1 Planning decisions are made in accordance with adopted local development plan policies, which have been adopted by the Council following public consultation. Statutory consultation also takes place on planning applications and appeals and this can have bearing on the decision

reached by the Secretary of State and his Inspectors. Copies of appeal decisions are held on the public Planning Register.

6. EQUALITY IMPACT ASSESSMENT

6.1 Where appropriate the Council will refer in its appeal case to matters connected to its duties Under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. LEGAL IMPLICATIONS

7.1 Public Inquiries are normally the only types of appeal that involve the use of legal representation. Only applicants have the right to appeal against refusal or non-determination and there is no right for a third party to appeal a planning decision.

8. FINANCIAL IMPLICATIONS

8.1 Public Inquiries and Informal Hearings are more expensive in terms of officer and appellant time than the Written Representations method. Either party can be liable to awards of costs. Guidance is provided in Circular 03/2009 "Cost Awards in Appeals and other Planning Proceedings".

9. BACKGROUND PAPERS

9.1 Planning Appeal Forms and letters from the Planning Inspectorate.

APPENDIX 1

Appeals Lodged:

WARD: CHURCH
APPEAL NO: APP/E0345/W/16/3149180
CASE NO: 152016
ADDRESS: 51 Cressingham Road
PROPOSAL: Demolition of existing house & garage. Erection of 4 new dwellings.
CASE OFFICER: Stephen Vigar
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 18.07.2016

WARD: ABBEY
APPEAL NO: APP/E0345/W/16/3151763
CASE NO: 151815
ADDRESS: 23 Friar St
PROPOSAL: Application for removal or variation of a condition following grant of planning permission. (131260), for opening times to be extended from 02:00am till 05:00am Monday to Saturday and Bank Holidays.
CASE OFFICER: Ethne Humphreys
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 19.07.2016

WARD: THAMES
APPEAL NO: APP/E0345/W/16/3152909
CASE NO: 152208
ADDRESS: 1 Derby Road
PROPOSAL: Removal of condition 4 (physiotherapy clinic use operated, managed or carried out only by person(s) residing in residential part) and variation of condition 5 (Class D1 clinic/consulting room use only) of permission 10/00992/VARIAT to allow wider uses (all medical and health services, education and any necessary office space) at the Class D1 use part of the premises. (resubmission of 151262)
CASE OFFICER: Richard Eatough
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 22.07.2016

WARD: TILEHURST
APPEAL NO: APP/E0345/W/16/3155586
CASE NO: 160083
ADDRESS: 126 Westwood Road
PROPOSAL: Proposed single storey detached 2 bedroom bungalow on land at the rear of 126 Westwood road.
CASE OFFICER: Ben Pratley
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 03.08.2016

APPENDIX 2

Appeals Decided:

WARD: KENTWOOD
APPEAL NO: APP/E0345/W/16/3141752
CASE NO: 150539
ADDRESS: The Pond House PH 738 Oxford Rd
PROPOSAL: Development of 3 houses on land to rear of public house
CASE OFFICER: Ben Pratley
METHOD: Written Representation
DECISION: ALLOWED
DATE DETERMINED: 25.07.2016

WARD: REDLANDS
APPEAL NO: APP/E0345/W/16/3149280
CASE NO: 152138
ADDRESS: Wells Hall, Upper Redlands Road
PROPOSAL: Application for approval of reserved matters (Appearance and Scale only) relating to Plots 23, 24, 25 and 26 following outline approval 12/01008/OUT (121820) as varied by permission 140858/VAR.
CASE OFFICER: Stephen Vigar
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 05.08.2016

WARD: MINSTER
APPEAL NO: APP/E0345/D/16/3151293
CASE NO: 160319
ADDRESS: 'Sunwood' Field Road
PROPOSAL: Hip to gable roof extension to include rear pitched roof dormer window and single storey rear extension.
CASE OFFICER: Claire Ringwood
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 08.08.2016

WARD: KATESGROVE
APPEAL NO: APP/E0345/D/16/3150501
CASE NO: 160171
ADDRESS: 121 Highgrove St
PROPOSAL: Part two storey and part single storey rear extension with
loft conversion and internal alterations
CASE OFFICER: Claire Ringwood
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 12.08.2016

APPENDIX 3

Address Index of Planning Officers reports on appeal decisions.

Wells Hall, Upper Redlands Road

Planning Officers reports on appeal decisions attached.

Ward: Redlands

Appeal No: APP/E0345/W/16/3149280

Planning Ref: 152138

Site: Wells Hall, Upper Redlands Road, RG1 5JF

Proposal: Application for approval of reserved matters (Appearance and Scale only) relating to Plots 23, 24, 25 and 26 following outline approval 12/01008/OUT (121820) as varied by permission 140858/VAR.

Decision level: Committee

Method: Written representations

Decision: Appeal dismissed

Date Determined: 5 August 2016

Inspector: Graham Chamberlain BA (Hons) MSc MRTPI

SUMMARY OF DECISION

The application related to details of the appearance of four houses proposed for the northern end of the site. The application was refused by Planning Applications Committee on 6 April 2016 for the following reason:

"The proposed houses would not be of high design quality and would fail to maintain or enhance the character and appearance of the area due to their awkwardly truncated roof design, resulting in a disproportionately small roof and an uncharacteristic flat roof and flank wall profile. As such the proposals are contrary to Policy CS7 of the Reading Borough LDF Core Strategy 2008 (altered 2015)."

The Inspector agreed with the Council that the site had been designed as a whole to have a traditional appearance with period styling; chimneys, porches, balanced casement windows and lintels etc. and their proportions *"evoke a traditional appearance, albeit of greater simplicity"*.

The Inspector found that *"The appellant's attempt at amending the previously approved design so as to retain that quantum of floor space whilst adhering to Condition 31 [8 metre height limit], rather than opt for a more comprehensive revision, would result in a contrived roof design to the four houses. The truncated roof currently proposed would contain a discordant flat roof section that would adversely alter the overall proportions of the building, as the spans of the gables would appear too wide and the roof uncharacteristically small with a shallow pitch and overly high eaves. The poor proportions of the proposed dwellings would jar with the more traditional scale and form of other houses proposed and under construction in the estate. In this respect, I share the view of the Council that the design solution advocated by the appellant lacks sufficient architectural merit."*

The Inspector agreed that this incongruous roof design and poor proportions would be evident from higher ground on entering the site and also when viewed closer from within the site and would therefore harm the character and appearance of the area.

However, the Inspector commented that the design proposed, the intervening distance and the landscaped buffer would safeguard the living conditions of adjoining residents [Cadugan Place].

HPBC COMMENTS ON THE DECISION:

The support of the Inspector is welcome given the exceptionally poor standard of design proposed. Members approved an alternative roof design (ref: 160846) which the applicant has confirmed they will now implement.

Case Officer: Steve Vigar

Site Plan:



Front Elevation

Rear Elevation

Side Elevation

Side Elevation

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ARCHITECTS Ltd

Unit 07, Deodar Exchange Centre
Deodar Way, Woking, Surrey
GU24 0EJ

WELLSWOOD PARK
Development at
WELLSWOOD PARK,
READING

Plot 23 & 24

Scale: 1:50

Drawn: HWP/MSJ

Checked: C

Date: 20/08/2014

Project: HWP/MSJ/24/05

CASH LEVEL 3 to plots 23 & 24

Proposed Elevations Plots 23 and 24