



Appeal Decision

Site visit made on 29 January 2019

by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 March 2019

Appeal Ref: APP/W0340/W/18/3206449

Land adjacent to Bath Road and Dorking Way, Dorking Way, Calcot, Reading RG31 7BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline & full planning permission.
 - The appeal is made by Carter Lauren Construction Ltd, Marstons PLC and W. Cumber and Son Theale Ltd against the decision of West Berkshire Council.
 - The application Ref 17/02904/OUTMAJ, was refused by notice dated 11 June 2018.
 - The development proposed is a hybrid application to include full planning application for a restaurant/pub with 150 covers with associated parking and landscaping and installation of plant at roof level and an outline planning application for 28 residential units with details of access submitted.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The proposals have been submitted as a hybrid application. Full planning permission is sought for a restaurant/pub with parking, garden, a terrace and a yard. The residential development is submitted in outline with the details of the access; all other matters are to be reserved. I have dealt with the appeal on this basis and treated the layouts, street view and sketch up models as indicative in respect of the residential development.
3. A signed Unilateral Undertaking dated 4 February 2019 was submitted addressing matters related to affordable housing, a scheme for the provision of emergency water supplies and a fire hydrant contribution.

Background and main issues

4. The Council refused the application for 3 reasons. The third related to the lack of a planning obligation to deal with affordable housing, travel plans, and fire hydrants or other emergency water supplies. The other two reasons raise concerns about the effect of the residential development taking account of the fixed area for the restaurant/pub and the remaining space available. Having regard to this background I consider the main issues to be:
 - the effect of the residential development on the character and appearance of the area; and
 - the effect of the residential development on the living conditions of the occupiers of 7 Blackwater Rise and 15 Dorking Way in respect of privacy.

Reasons

Character and appearance

5. The indicative site layout for the residential development shows 16 houses in a broadly linear form with a roughly east-west alignment. Flatted development in a single block is shown in the eastern most portion of the site; this would need to accommodate 12 apartments. Other than access, all aspects of the residential development is reserved. However, the portion of the site proposed for the restaurant/pub, and its position, will inevitably constrain how the 28 homes could be accommodated on the remainder of the site and still be acceptable in other respects. In this case, it is highly likely that the layout of the residential development would be similar to the illustrative information. I reach this view also having regard to the 2 illustrative schemes shown in the street view, site layout and sketch up drawings. These both have a very similar layout for the residential development indicating there is limited scope for significant changes.
6. At the time of my site visit, the appeal site and the land to the west was undeveloped, both these sites are allocated for housing in the development plan. Commercial buildings, of a significant scale, are located to the north on the opposite side of Bath Road. The site sits adjacent to residential development clustered around a number of culs-de-sac leading from Dorking Way. Much of the housing is detached and overall there is a relatively low density.
7. Typically, the dwellings around Dorking Way are sited with a variety in the positioning of frontages and with some variation in the orientation of buildings. The houses are generally set back from the roads and, while parking to the front is common, significant areas of landscaping are present at most houses so that the parking is not dominant. The vast majority of the housing along the north side of Dorking Way is set well back from the road with significant landscaping; this has resulted in a spacious and verdant character. Number 15, and its 2 adjoining neighbours, front onto Dorking Way and these houses provide a pleasant gateway into this residential area.
8. The proposed dwellings are likely to be sited in a tight linear form set at a right angle to Dorking Way. There would be little scope to introduce variety to the position of building frontages or landscaping to the front of these homes. The 2 plots closest to Dorking Way are shown to sit considerably forward of 15 Dorking Way. This would significantly undermine the spacious and verdant character of this side of the road. With these first two plots sitting to the front of 9-15 Dorking Way, the proposed development would integrate poorly with these dwellings and fail to respect and enhance the character of the entry to the housing around Dorking Way.
9. I am not convinced there is scope to reposition these plots without compromising other important considerations. When this is taken together with the uncharacteristically linear siting and dominant frontage parking, the overall result is likely to be a development which is harmful to the character and appearance of the immediate and wider area.
10. Policy HSA 13 of the Housing Site Allocations DPD May 2017 (the HSA) relates specifically to this site which should accommodate approximately 35 dwellings across the approximately 1 hectare area. Among other things, it also requires

that the development be designed to integrate with the adjoining residential built form. Even if higher densities are expected on the surrounding allocated sites, there is a specific expectation in this Policy that the juxtaposition with the immediately adjoining housing is handled with care.

11. I accept that the form of much of the housing around Dorking Way does not follow current best practice by looking inward and turning its back to the surrounding countryside and the highway. However, this does not justify the provision of development on the appeal site which would be unlikely to integrate well with the adjoining residential built form. In any event, the houses to the north side of Dorking Way immediately adjoining the appeal site do not have these characteristics. While it may not be necessary to slavishly follow the existing form of the housing in the area, it is necessary to ensure that the transition is appropriate and, for the reasons I have set out above, I am not convinced that such a scheme could be accommodated.
12. The development would not accord with Policy HSA 13. Nor would it accord with Policies CS 14 and CS 19 of the West Berkshire Local Plan Core Strategy, July 2012 (the CS) which require development to respect and enhance the character and appearance of the area having regard to the wider context but also the immediate area and be appropriate in the context of the existing settlement form, pattern and character. Given the emphasis in the National Planning Policy Framework to ensure the opportunities to improve the character and quality of an area are taken, and the requirements of Policy HSA 13, I give this factor significant weight.

Living conditions

13. The Council's Quality Design Supplementary Planning Document (the SPD) provides advice on privacy and the perception of privacy from developments and sets a guideline that 21m should be provided between houses backing onto one another. It also notes that where 2 houses adjoin at right angles a guideline distance of 6 metres should separate windows of habitable rooms.
14. The information provided for the proposed residential development is indicative, however, for the reasons I have given above, it is highly likely to provide a good indication of the final proposal. The positioning indicated would mean that the relationship of the appeal dwellings would not be at a 90° angle. However, it would be much closer to this than a back to back relationship (180°). The indicative information shows that the dwellings could be sited a good distance from the boundaries with 7 Blackwater Rise and 15 Dorking Way and the distance between windows could vastly exceed the 6 metres suggested by the SPD.
15. This information demonstrates that the residential development could be provided and retain appropriate living conditions for the occupiers of 7 Blackwater Rise and 15 Dorking Way in terms of privacy. Policy CS 14 of the CS requires that development makes a positive contribution to the quality of life in West Berkshire. For the reason set out above, the development would not conflict with this.

Other matters

16. I have taken account of the appellants' comments in respect of when the Council raised the concerns which led to the refusal of the application.

However, I must reach my own conclusions on these matters and I cannot give any significant weight to this in reaching an overall conclusion.

Planning Balance

17. Policy HSA 13 of the HSA expects this site to deliver approximately 35 which should include flatted development and smaller houses. Policy CS 6 of the CS requires that, for the relevant scale of development and type of site, 40% of homes should be affordable. This development would provide 43% resulting in one more affordable home than would be necessary under the Policy. I give weight to the social and economic benefits that would arise from the provision of the market and affordable dwellings. Even taking account of the proximity of Bath Road, I am not convinced that the scheme before me, resulting in a constrained area for the residential development, would be the only means of providing this number of market and affordable homes. Overall, I give these benefits moderate weight.
18. The restaurant/pub would create employment and wider economic benefits. It would also result in some social benefits by providing a service close to where people live and visit other facilities. As with my conclusions in the paragraph above, the positive weight I give these benefits is limited because I am not convinced that a restaurant/pub of broadly comparable scale could not be provided in a revised approach to the site which could also achieve residential development which would integrate well with its surroundings.
19. Considering the development in the round the benefits of the scheme would not outweigh the harm that would arise to the character and appearance of the area.

Conclusion

20. Although I have found that there would not be harm to the living conditions of the occupiers of the neighbouring houses this would not mitigate or outweigh the harm that would arise to the character and appearance of the area. The proposal would not accord with the development plan when it is considered as a whole. I conclude that the appeal should be dismissed.

K Taylor

INSPECTOR