



Planning

Appeal Statement

Client:

Mark Weaver

510 Reading Road

Winnersh, Wokingham, RG41 5PX

*Appeal against refusal of Prior approval application
250594 for erection of 3no. dwellings as upwards
extension to existing apartment block*

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01 Introduction

- 1.1 This statement is submitted following the decision of Wokingham Borough Council to refuse prior approval for the erection of 3 no. dwellings forming apartments through upwards extension to an existing detached block of flats following the removal of existing apartment at Five Ten Apartments, Reading Road, Winnersh, Wokingham, RG41 5PX.
- 1.2 Prior approval was sought for the development through Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('GPDO') which allows for the erection of new dwellinghouses on detached blocks of flats subject to according with the relevant criteria.
- 1.3 The prior approval application was validated on 23 April 2025 and considered under reference 250594. The application was refused under delegated powers on 28 May 2025. A copy of the officer's report and decision notice are included as Appendix 1 and 2, respectively.
- 1.4 This statement will focus upon matters raised within the decision notice for the appeal scheme. It is taken that all relevant elements not listed in the refusal reasons are acceptable in Planning terms, as a matter of common ground between the Appellant and the Council.

02 Site Location & Description

- 2.1 The appeal site comprises of a 2.5 storey block of flats, containing three 2-bedroom flats and two 1-bedroom flats. The site is located on the southern side of Reading Road (A329).
- 2.2 The existing building has a hipped roof form with dormers on its front and rear elevations. Two storey gable features are also present on both the front and rear elevations, with a narrow cat slide roof element on the south-eastern side elevation.
- 2.3 Car parking is situated to the front and rear of the site with the rear car parking area accessed through a car port arrangement on the western side.

03 The Appellant's Case

3.1 The Council's refusal reason reads as follows:

- 1. The proposed development fails to comply with A.2 (e) as the external appearance of the building would fail to maintain the quality of the environment by reason of its excessive scale/height in a narrow residential plot, contrary to policies CP1 and CP3 of the Core Strategy 2010, the Borough Design Guide Supplementary Planning Document 2012 and the National Planning Policy Framework.*
- 2. The proposed development fails to comply with A.2 (g) as the proposed development, by reason of its scale/massing, would cause adverse overbearing impacts onto nos. 508 and 512 Reading Road, to the detriment of the occupiers' amenities. The development is therefore contrary to policies CP1 and CP3 of the Core Strategy 2010, the Borough Design Guide Supplementary Planning Document 2012 and the National Planning Policy Framework.*

3.2 The appeal proposal is assessed below against the relevant policies identified by the Council in the refusal reasons, and with reference to national guidance in the form of the National Planning Policy Framework ('NPPF').

3.3 It should be noted that the scheme as presented was considered to comply with the relevant criteria as contained within A.1 of Class A and as such

prior approval is available. The development was however considered to be unacceptable when assessed against the conditions within Section A.2, and therefore failed the Council's prior approval assessment.

3.4 ***Refusal Reason 1 (External Appearance):*** Core Strategy Policy CP1 provides the Council's overarching position regarding seeking for development to meet sustainability principles. In terms of specific relevance to the refusal reason, Policy CP1 establishes that development proposals should contribute positively to the character and appearance of the area, respect local distinctiveness, and provide safe and attractive environments.

3.5 Core Strategy CP3 expands upon the high-level principles established in Policy CP1. It states that development must, inter alia:

- Achieve high quality design through factors including architectural quality, use of appropriate materials, attractive and accessible environments, and be visually attractive and proportionate,
- Respect local character through responding positively to the site's context, fit well with the area's established scale, mass, layout, etc., and protect local distinctiveness
- Make an efficient use of land.

3.6 The Council do not specify which part of the Borough Design Guide it considers the proposal to be contrary to. Consequently the Council has not set out its case in respect of this document. In the absence of this, and given the size of the Guide, comment is therefore reserved on this matter until the Final Comments stage of the Appeal process.

3.7 Similarly, the Council do not specify with part of the NPPF it considers the proposal to be contrary to. Consequently the Council has not set out its case in respect of the NPPF. Comment will be reserved on this matter until the Final Comments stage of the Appeal process.

3.8 The above being said, Section 12 of the NPPF is pertinent in terms of character of area matters. Paragraph 131 of the NPPF states that the creation of high quality buildings is fundamental to the planning process. Paragraph 135 goes on to state that planning policies and decisions should ensure that proposals, inter alia,:

- Function well and add to the overall quality of the area
- Are visually attractive as a result of architectural style and layout
- Are sympathetic to local character, including the surrounding built environment, and
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.

3.9 The Council consider that the external appearance of the building would fail to maintain the quality of the environment by reason of its excessive scale/height in a narrow residential plot.

3.10 The proposed development utilises many of the design features present on the existing building in order to assimilate into the existing design vernacular in particular the roof design and dormers. The design of the proposed additional storey is therefore appropriate in that it does not diminish the design quality of the existing building.

3.11 It is clear through their assessment of the scheme that the Council do not object to the actual appearance of the building but rather the appearance of the building in relation to neighbouring properties and the wider area. It is therefore considered that in terms of Policy CP3, the proposal constitutes a high level of design quality, but what appears to be in debate is, notwithstanding this design quality there are concerns over whether it respects the appearance of the surrounding area.

3.12 Whilst the proposed development would be noticeably taller than the existing property, given the design approach it would not appear jarring, and this is in the context of there being no consistent and coherent built form in the local area. Reading Road has a diverse character with multiple variations in building heights, designs, layouts and overall sizes. This is

further exemplified by the presence of commercial elements in addition to residential.

3.13 Where there is consistency is in a relatively linear built pattern of development fronting the highway. The proposal would not result in any change to this pattern.

3.14 As the Council acknowledged within their Officer's Report, there are a cluster of three storey blocks of flats 200 metres west on Reading Road, which are taller in height than the proposed height of the appeal proposals. The introduction of such development in this specific location is therefore not unique and should be seen as an evolution of the character of the area.

3.15 To the west of the site is a public pathway that leads to Chatsworth Avenue to the south. Due to the setting of the site in relation to this path, the property acts as a landmark within this area of Reading Road and as such can take on a character of its own.

3.16 Through the definition of Class A, which enables the construction of additional storeys, there would always inevitably be some impact on the surrounding area. In other words, the relevant Prior Approval process accepts that this situation can, and should, occur. There is no reason why more substantial variations to the wider area cannot occur, and by virtue

of its location and existing appearance, this is considered to be a site suitable of accommodating this type of development.

3.17 It is also important to note that the site is also bounded by vegetation which will be retained, further mitigating any perceived impact of the proposed development. From ground level the planting would continue to screen much of the proposal, just as it does with the existing.

3.18 Furthermore, as per Policy CP3 and NPPF paragraph 135.e), the proposal would optimise the potential of the site to provide a proportionate level of residential accommodation within what is already an established and sustainable residential area. As per NPPF paragraph 135 in particular, this optimisation of use and efficiency of land is a critical character consideration.

3.19 The proposal is therefore considered to comply with Core Strategies CP1 and CP3, and Section 12 of the NPPF, for the above reasons. In turn it therefore complies with Schedule 2, Part 20, Class A.2.(e) of the GPDO.

3.20 **Refusal Reason 2 (Residential Amenity):** Core Strategy Policy CP1 is summarised in paragraph 3.4 above.

3.21 As with character matters, Core Strategy Policy CP3 also expands the Council's planning policy with regards to impact on residential amenity.

Specifically, it states that development proposals must protect the amenities of neighbouring occupants/users through avoiding overlooking and loss of privacy, adverse overshadowing or loss of light, adverse overbearing impacts, and excessive pollution in terms of noise, disturbance or odour.

3.22 As with Refusal Reason 1, the Council do not specify which part of the Borough Design Guide or the NPPF it considers the proposal to be contrary to. Consequently the Council has not set out its case in respect of these documents. In the absence of this, further comment is reserved for the Final Comments Appeal stage.

3.23 The above being said, Section 12 of the NPPF again has particular relevance in terms of residential amenity. Specifically, paragraph 135.f) of the NPPF sets out that planning policies and decisions should ensure that developments provide a high standard of amenity for both existing and future users (and this is interpreted to not necessarily only be the users of the proposal, but all involved/affected individuals).

3.24 The Council consider that, by reason of its scale/massing, the proposed development would cause adverse overbearing impacts onto nos. 508 and 512 Reading Road, to the detriment of those occupiers' amenities.

3.25 The Council confirm through their Officer's Report that there would not be any adverse loss of light impacts or overlooking concerns to no.508 and there are no anticipated overlooking impacts or unacceptable loss of light to no.512. To the south, the application building would retain a separation distance of approximately 48 metres and overlooking onto nos.58-62 Chatsworth Avenue to the south-west would be limited and is considered acceptable.

3.26 The Council therefore only consider the overbearing impacts of the proposed development to conflict with A.2 (g), pertaining to impact on the amenity of the existing building and neighbouring premises.

3.27 It is acknowledged that there would be an increase in bulk to the property due to the nature of the proposed development. As the proposals are deemed acceptable by the Council in regard to overlooking, privacy and loss of light, it is considered that the development is within the anticipated scale that the site can accommodate. The perceived impacts of a building being overbearing is subjective.

3.28 It is not considered that the neighbouring occupants experience an unreasonable sense of enclosure as it stands, and the additional height from the additional storey would not be considered to trigger adverse harm in comparison, especially taking into account that the relevant side elevations of these properties are not primary vantage points for the

occupants. As there would be no change to the appeal building's footprint, it cannot be said that impacts to the front and rear elevations, or garden, would be materially significant.

3.29 Stating that the scheme is "towering" is not justified. The additional bulk at the top of the building is not considered to adversely impact the neighbouring properties to the extent that the Council claim. There is already a difference in scale between the buildings and as such the additional massing that the Council refer to should be read in the context of the existing building, the additional bulk does not cause a detriment to the neighbouring amenities as to the extent that the Council claim. In other words, any proposed harm must be weighed in the context of existing impacts as resulting in a distinctly increased harm.

3.30 The public pathway that leads to Chatsworth Avenue to the south also acts as a helpful buffer between the appeal site and No. 512 Reading Road. The impact of the proposals therefore are overstated by the Council in relation to this point, especially in regards to the fact that impacts on overlooking, privacy and loss of light are acceptable.

3.31 It is therefore considered that the proposed development is fully acceptable with regards to its neighbouring amenity impact, and complies with Core Strategy Policies CP1, CP3, and Section 12 of the NPPF. In turn it therefore complies with Schedule 2, Part 20, Class A.2.(e) of the GPDO.

04 Conclusion

- 4.1 For reasons set out in this statement it is considered that the appeal proposal meets the tests of Schedule 2, Part 20, Class A Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). In terms of the specific 2no. reasons for refusal, the statement demonstrates that the proposal adheres to relevant development plan policies, and gains further support from national guidance in the form of the Framework.
- 4.2 The Council in its Officer Report appears to acknowledge that the proposal would be of high design quality, but raises concern as to the resulting appearance in terms of its visual impact on the surrounding character of the area. It has been set out within the Appeal Statement that the proposal would offer a proportionate level of development and an efficient use of land (with these being character considerations as per NPPF paragraph 135), and would integrate effectively into what is a highly varied character in terms of both buildings and land uses.
- 4.3 In terms of residential amenity, the Council's case is the perceived impact of the proposal being overbearing to the immediately neighbouring properties on either side. However, given the existing relationship in terms of the main vantage points for these neighbours combined with the scale of the existing building, it is presented that no increased adverse impact can be demonstrated.

4.4 It is taken that the relevant elements not subject to the refusal reasons are acceptable as a matter of Common Ground between the Appellant and the Council.

4.5 Therefore, the Council's reason for refusing the prior approval is unjustified, and it is respectfully requested that the appeal be allowed and prior approval be given.

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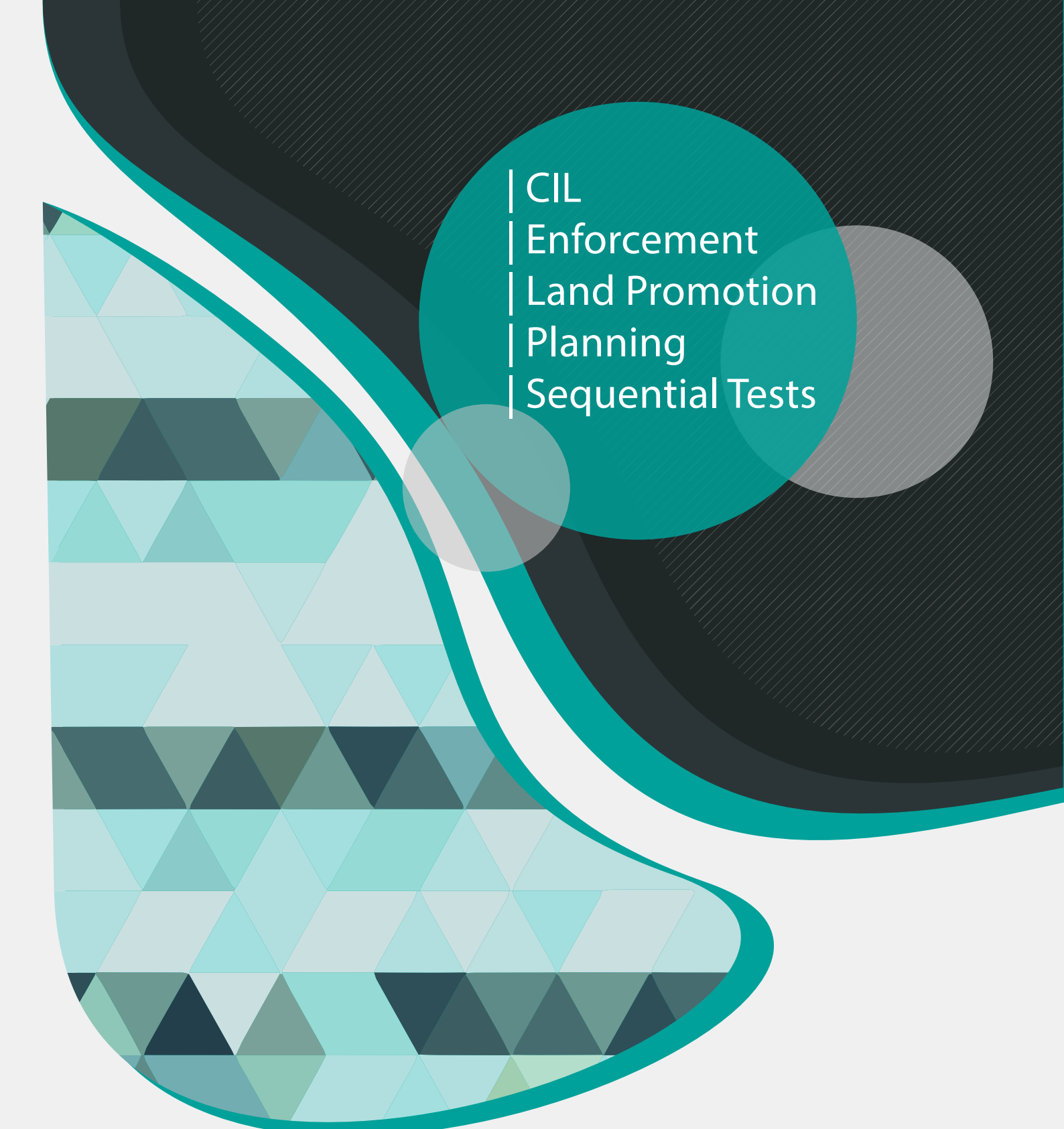
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