



Appeal Decision

Site visit made on 5 June 2008

by **Michael J Muston** BA(Hons) MPhil
MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:

17 June 2008

Appeal Ref: APP/X0360/A/08/2066861

20 Pitts Lane, Earley, Reading, Berkshire RG6 1BT

- 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 The Sarum Hill Trust against the decision of Wokingham Borough Council.
- The application (Ref F/2007/1479), dated 6 June 2007, was refused by notice dated 1 August 2007.
- The development proposed is the demolition of the existing derelict bungalow and the erection of a single storey gospel hall with associated car parking facilities.

Decision

1. I allow the appeal, and grant planning permission for the demolition of the existing derelict bungalow and the erection of a single storey gospel hall with associated car parking facilities at 20 Pitts Lane, Earley, Reading, Berkshire RG6 1BT in accordance with the terms of the application, Ref F/2007/1479, dated 6 June 2007, and the plans submitted therewith, subject to the following conditions:
 - 1) The development hereby permitted shall begin before the expiration of 3 years from the date of this permission.
 - 2) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved within a timescale to be agreed by the local planning authority.
 - 3) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the building hereby permitted is occupied.
 - 4) No development shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 5) Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank or National Holidays.

- 6) The building shall not be occupied until the vehicle parking and turning shown on the submitted plans has been completed and is ready for use. The parking spaces and turning areas shall be maintained as such thereafter.

Main Issues

2. I consider the main issues in this case to be:-

- whether the proposal would result in an unacceptable loss of housing
- the effect of the proposal on the character and appearance of the area
- the effect of the proposal on protected trees.

Reasons

3. Policy WH6 of the Wokingham District Local Plan has been saved and has the status of being part of the development plan. It says that the Council will normally resist proposals involving the loss to other uses of existing residential accommodation. It goes on to set out circumstances where exceptions to this policy may be considered. One of these is that the proposal would provide essential community services. Another is that the amenity of the existing accommodation is so poor as to render inappropriate its retention in residential use. I am not convinced that the gospel hall proposed could be described as being essential as intended in the policy. However, I saw on my site visit that the existing bungalow on site is derelict and appears to have external walls constructed entirely of timber. I do not have before me any evidence that its use has been abandoned. However, its construction and condition lead me to the view that it could not readily be brought back into residential use. In addition, I accept the appellants' arguments that the amenity of the bungalow would in any event be constrained by the proximity of the social club to the north-east.
4. Policy WH6 goes on to say that, for any of the exceptions to be acceptable, the proposed development should replace at least the number of dwellings lost. This suggests that to comply with the policy the appellants would need to design their proposal in such a way as to maintain a residential unit on the site, as well as their proposed gospel hall. I think that this would be difficult given the constraints imposed by noise from the adjacent social club, the electricity pylon to the front of the site and the designated Site of Urban Landscape Value to the rear. I agree with the Council that, by not providing a replacement dwelling, the proposal is not in accordance with Policy WH6. However, I consider that any dwelling on the developable part of the appeal site would be likely to suffer noise nuisance from the operation of the social club. In the circumstances, I consider that material considerations outweigh the conflict with Policy WH6. I conclude that the proposal would not result in an unacceptable loss of housing.
5. The area around the appeal site is overwhelmingly residential, with the exception of the social club immediately to the north-east. The Council points out that the social club was granted permission in 1956 and should not set a precedent for further community facilities in a predominantly residential area which is not in the most sustainable location. I accept that the existence of

one use atypical of the area should not automatically mean that others should follow. However, given existence of the social club next door and the low-key nature of the proposal, I do not consider that the proposal would appear out of place in the area. It would appear different from a residential development but it does not follow that it would automatically be harmful.

6. The appellants tell me that the gospel hall would primarily be used by members of the congregation who live locally and who would walk to the site. Therefore, whilst the appeal site may not be particularly close to other services, it should not generate a large number of additional journeys by private car. I do not consider that the hall, which will be set well back into the site in a similar location to the existing bungalow, would appear out of keeping with its surroundings. I conclude that the proposal would not have an unacceptably adverse effect on the character and appearance of the area, and would comply with Policy WOS3 of the Wokingham District Local Plan (adopted 2004).
7. Since the refusal of the application, the appellants have commissioned an Arboricultural Report. This concludes that the two Scots Pines the subject of a Tree Preservation Order need not be adversely affected by the proposal. It concludes that one further Scots Pine, further back into the site, is the only tree that would need to be felled.
8. The Council has not responded to this report but instead maintains its objection "in the absence of a submitted tree survey or Arboricultural Method Statement". In my opinion, the submitted Arboricultural Report, prepared by a qualified member of the Arboricultural Association, provides the necessary evidence that the protected trees on the site would not be unacceptably harmed. I conclude that the proposal would not have an unacceptable adverse effect on protected trees, and would comply with Policy WBE5 of the Wokingham District Local Plan (adopted 2004).
9. In relation to noise generated nuisance, the Council's delegated report on the application raises no objection on noise grounds. The appellants have provided additional information in respect of noise with their appeal submissions. I do not consider that the proposal would give rise to any unacceptable levels of noise nuisance.
10. The Council has suggested conditions in the event of the appeal being allowed. Those on the submission of details of materials, boundary treatment and landscaping are all necessary in my view to ensure no adverse impact on the character or appearance of the area. A condition limiting construction work would prevent unacceptable noise disturbance to local residents. A condition requiring the provision of the parking and turning spaces would help avoid highway safety problems.
11. Whilst the appellants have submitted an Arboricultural Report sufficient to convince me that the protected trees would not be harmed, I consider that further detail is required as to how the trees and other vegetation on the site would be protected from and during construction. I consider a condition similar to that suggested by the Council is necessary. The material submitted in pursuance of this condition should deal with how drainage works would affect the trees. I do not therefore see a need for a further condition in respect of drainage. The council has suggested a condition preventing the insertion of

windows at first floor level on the south elevation. However, the building would not have a first floor and would not benefit from permitted development rights. I do not therefore consider that such a condition would be necessary.

Michael J Muston

INSPECTOR