

DELEGATED HOUSEHOLDER APPLICATION REPORT

Ward: Caversham

App Ref: 230829/HOU

Address: 83 Henley Road, Reading, RG4 6DS

Proposals: Proposed raised patio and detached garage in rear garden

Case Officer: Joel Grist

Applicant: Claire Cole

Date received (valid from): 14 June 2023 **Extended Target Decision date:** 25 August 2023

1. SITE DESCRIPTION

Site visit date: 02/08/2023

Site visit photos:



2. PROPOSAL AND SUPPORTING INFORMATION

The application seeks permission for a proposed raised patio and a detached outbuilding in the rear garden. The patio will extend 3.2m from the rear elevation of an existing single storey rear extension and will be a maximum of 1.6m from ground level. A 1.8m tall timber fence will be erected on the boundary with the adjoining No. 83a. The patio will be painted in white render.

The proposed outbuilding will be located to the north of 2 existing outbuildings and close to the boundary with No. 81a. The building will be 5.2m in width, 3.2m in depth with a flat roof height of 2.5m. The building will have a timber clad appearance. Amended plans have been received to alter the positioning of the windows on the building.

Original plans considered:

COLE-0523-03

COLE-0523-01

COLE-0523-02

COLE-0523-04

COLE-0523-05

Amended plans considered:

COLE-0523-02 RevA

COLE-0523-04 RevA

COLE-0523-01 RevA

COLE-0523-05 RevA

3. RELEVANT PLANNING HISTORY

220685 - Proposed single storey flat roof rear extension with parapet wall. Rear extension to have roof lantern and bifold doors. Approved - 10/08/2022

220611 - Flat Roofed Rear extension measuring 4.5m in depth, with a maximum height of 3.8m. Notification of the construction of an extension underclass A Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Withdrawn - 09/05/2022

4. CONSULTATIONS

The following addresses were consulted by letter on both the original and amended plans.

10 Queen Annes Gate, Caversham, Reading
81A Henley Road, Caversham, Reading, RG4 6DS
9 Queen Annes Gate, Caversham, Reading, Berkshire, RG4 5DU
83a Henley Road, Caversham, Reading, RG4 6DS

2 letters of representations were received from the same address on the original plan and are summarised below:

- Material inaccuracies and omissions in the application (Officer comment: amended plans were received to address the errors in the submitted plans)
- Block plan omits removed garage and 2 recently erected outbuildings and includes old pig sty that has been removed. (Officer comment: this was addressed in the amended plans)
- Impossible to assess use of curtilage and whether outbuildings are permitted development. (Officer comment: compliance with permitted development rights is not relevant to the determination of this householder application)
- Application states no work has started without consent but works to garage and foundations and utilities have been started. (Officer comment: the removal of the previous garage would not require planning permission)
- Drawings imply significant landscaping.
- Plot on continuous slope, only shown next to the house. (Officer comment: the amended plans correct omissions regarding the height of the foundation slab. The plans show all land relevant land related to the proposed development)
- Location plan doesn't shown altered rear boundary of No. 81a. (Officer comment: the location plan is required to show the correct boundary of the application site which it does. Any alterations to neighbouring boundaries not affecting the application site is not relevant to the determination of this application)
- Plans do not accurately show garage height and garage located further back than similar development and larger than the one it replaces. (Officer comment: the amended plans now show the proposed garage with the drop in height from the foundation slab)
- Significant nuisance from prior work. (Officer comment: this is an Environmental Health matter and not relevant to the determination of this application)
- No party wall notification given. (Officer comment: this is not a planning matter relevant to the determination of this application)
- Garage not taken down according to HSE guidelines. (Officer comment: this is not a planning matter relevant to the determination of this application)
- Issues to neighbouring garage from storage of rubble. (Officer comment: this is not a planning matter relevant to the determination of this application)
- Loss of outlook from proposed and existing outbuildings (Officer comment: this is addressed in the appraisal section below)

- Breach of privacy from windows overlooking rear garden (Officer comment: this is addressed in the appraisal section below)
- No provision for rainwater run off with rain directed in neighbouring garden and flooding of garages. (Officer comment: the site is not in a flood zone and is therefore not relevant to the determination of this application)
- Excessive height of patio and overlooking of neighbouring garden. Should be lowered and screened both sides. (Officer comment: this is addressed in the appraisal section below)
- Concern intention is to use outbuildings for operation of business. (Officer comment: the outbuilding is stated to be used incidental to the enjoyment of the main dwelling. Business use of the building may be a material change in use and would require full planning permission)
- Site visit is necessary. (Officer comment: A site visit was carried out on 02/08/2023)
- If not rejected, planning should be subject to modifications and conditions.

1 letter of representation was received in response to the amended plans and is summarised below:

- Amended plans still incorrect and misleading. Little is addressed. Just moved the garage window.
- Site visit is warranted.

Ward Councillors sought information on the application and confirmed that the application could proceed to be determined by Officers under delegated powers.

Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

5. LEGAL AND PLANNING POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. The following local and national planning policy and guidance is relevant to this application:

National Policy

National Planning Policy Framework
National Planning Practice Guidance

Reading Borough Local Plan (2019)

CC7 (Design and the Public Realm)
CC8 (Safeguarding Amenity)
H9 (House Extensions and Ancillary Accommodation)
H10 (Private and Communal Outdoor Space)

SPG/SPD

A Design Guide to House Extensions SPG

6. APPRAISAL

Character and Appearance

Policy H9 states that an extension to a house will be acceptable where it respects the character of the house in terms of scale, location, materials and design and respects the character and pattern of neighbouring properties and the street as a whole in terms of scale, location, materials and design, and any important existing building line. Policy CC7 also sets out relevant considerations for design.

The raised patio would be situated adjoining the rear of the existing dwelling and would therefore not be visible from the street scene along Henley Road. It is modest in scale and is not considered to detract from the existing appearance or character of the dwelling. The outbuilding would be partially visible from the road however it is situated to the rear of the main dwelling and due to the sloping rear garden, it would not appear as an obtrusive feature within the street scene. The outbuilding is constructed from timber cladding to match the existing outbuildings on site and the existing timber clad rear extension to the main dwelling. As such, the development is considered visually acceptable, in compliance with Policy CC7.

Residential Amenity

Policy H9 states that an extension will be acceptable where it does not result in an overbearing impact on neighbours. Policy H10 seeks to ensure that the amenity of gardens and other outdoor areas are not compromised. Policy CC8 states an extension to a house will be acceptable where it will not cause a significant detrimental impact to the living environment of existing or new residential properties.

In respect of the raised patio, concerns have been raised in the letters of representation about overlooking of the rear garden to No. 81a. It is acknowledged that due to its height and the sloping nature of the rear gardens of dwellings on this side of Henley Road, there would be some overlooking of the neighbouring rear garden however there are existing large windows and glazed doors at ground and first floor level in the rear elevation of the application dwelling that cause an existing level of overlooking of the neighbouring garden. This type of mutual overlooking is typical of such sites where 2 storey dwellings are situated adjacent to each other. The overlooking from the raised patio would be angled towards the rear end of the neighbouring garden and there is an existing single storey outbuilding with pitched roof within the neighbour's site screening views towards the area of garden immediately adjacent to the rear elevation of the neighbouring dwelling. There is also mature vegetation along the common boundary that provides further screening. As such, the level of overlooking towards No. 81a is not considered materially more harmful than existing circumstances.

Concerns have also been raised regarding overlooking and loss of privacy from the proposed outbuilding. The original plans proposed windows in the west elevation of the building that would have been positioned above the fence height and afforded views directly into the garden of No. 81a. Concerns were raised by Officers and amended plans were received which removed these plans with windows and doors now only proposed in the north and east elevations. These windows will not overlook any adjoining neighbours therefore the outbuilding is no longer considered to result in harmful overlooking or loss of privacy for neighbouring residents.

Concerns have been raised regarding loss of outlook for the occupiers of No. 81a resulting from the positioning of the existing and proposed outbuildings close to the common boundary. It is acknowledged that the proposed and existing outbuildings are located in a row close to the

common boundary and would result in some change to the outlook of this neighbour. However, the outbuilding is replacing an existing single storey garage which has already been removed and the outbuilding has a flat roof with a modest height of 2.5m. In this respect, it is also noted that the applicant could also choose to construct outbuildings to a height of 2.5m within 2m of a boundary as they already have done using Class E permitted development rights. The neighbour also benefits from a large rear garden with existing mature vegetation along the common boundary that further restrict views of the proposed outbuilding such it is considered the level of change to outlook is acceptable and the neighbour would still enjoy an acceptable standard of external amenity in this respect.

There will be a 1.8m fence erected on the common boundary between the application site and No. 83a which, in combination with the mature planting extending the length of the common boundary will prevent any overlooking of this neighbour from the patio and proposed outbuilding. There is sufficient separation distance between the patio and dwellings on Queen Annes Gate adjoining the rear boundary such there will be no harmful impacts on the amenity of these neighbours.

The application dwelling benefits from a long rear garden such the proposed development will not compromise the external amenity space for current and future occupiers of the dwelling.

Therefore, the development is considered to have an acceptable impact of the amenity of all adjoining neighbours and on the occupiers of the application dwelling and therefore complies with Policies CC8, H9 and H10.

7. CONCLUSION

The proposed development has been assessed as set out above and is considered to be acceptable on that basis, subject to the following conditions.

8. RECOMMENDATION

Application Permitted -

Recommended Conditions:

1. The development hereby permitted shall begin no later than three years from the date of this planning permission.

Reason: to prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

Drawing No: COLE-0523-03 (Received 14/06/2023)

COLE-0523-02 RevA; COLE-0523-04 RevA (Received 04/08/2023)

COLE-0523-01 RevA; COLE-0523-05 RevA (Received 03/08/2023)

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

3. The materials to be used in the construction of the external surfaces of this development shall be as specified on the plans and/or application forms unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policy CC7 of the Reading Borough Local Plan 2019.