

DELEGATED APPLICATION REPORT

Ward: Tilehurst

App Ref: 230987/FUL

Address: 139 Chapel Hill, Reading. RG31 5DD

Proposals: Demolition of garage and construction of bungalow

Case Officer: Mr David Brett

Applicant: Mr & Mrs Rickard

Date received: 15/07/2023

Valid from: 26/09/2023

Target Decision date: 21/11/2023

1. INTRODUCTION

The proposal site is 139 Chapel Hill, Tilehurst. The surrounding area along Chapel Hill is considered residential with a mix of single storey and two storey dwellings. The dwellings along Chapel Hill consist of family sized dwellings upon generously sized plots.

The proposal site is not located within a Conservation Area, Listed or in the setting of a Listed Building. The proposal site is located within the Air Quality Management Area.



Fig 1. Front of 139 Chapel Hill, Tilehurst. Site photo taken on 23/10/2023.



Fig 2. Rear of 139 Chapel Hill, Tilehurst. Site photo taken on 23/10/2023.

A site visit was undertaken by the case officer on 23/10/2023.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposed development seeks the following:

- Erection a 3-bedroom bungalow within the rear garden following demolition of existing garden building.

The development would result in the subdivision of the plot between the existing dwelling and the proposed dwelling. Hard landscaping is proposed within the rear garden to facilitate a formal vehicle access and parking area for the proposed dwelling.

It is noted that the application form and the Planning Statement refers to the proposed dwelling as a two-bed dwelling, however, the plans demonstrate one of the rooms as being a “bedroom/study”. The development is therefore being considered as a three-bed family dwelling.

Plans considered:

- Location Plans - 22075/PL/01 Rev B
- Existing Site Plan & Site Section/Elevation - 22075/PL/02 Rev B

- Proposed Site Plan & Site Section/Elevation - 22075/PL/03 Rev C
- Existing Floor Plans and Elevations - 22075/PL/04 Rev C
- Proposed Floor Plans and Elevations - 22075/PL/05 Rev C
- Planning Statement - 22075- 139 Chapel Hill
- Predicted Energy Assessment
- SAP Calculation: New Build (As Designed) prepare by Elmhurst Energy

Received on 15/07/2023

- Arboricultural Impact Assessment prepared by SJ Stephens Associates - 2149
- Tree Protection Plan - 2149-01 Rev A
- Affordable Housing Statement

Received on 26/09/2023

3. RELEVANT PLANNING HISTORY

080465/FUL - Two storey extensions and alterations - Application Permitted on 22/05/2008

071281/FUL - Two storey rear extension and addition of first floor level over existing bungalow (re-submission of planning application 07/00825/FUL) - Application Permitted on 11/02/2008

070808/FUL - Two storey rear extension and addition of first floor level over existing bungalow - Application Withdrawn on 07/09/2007

021022/FUL - Single storey front extension. - Application Permitted on 12/03/2002

970691/FUL - Alterations and extensions to existing dwelling house to provide additional living and garage space. - Application Permitted on 06/03/1997

4. CONSULTATIONS

4.1 The following addresses were consulted by letter, all of which are neighbours that adjoin the site.

135 Chapel Hill, Tilehurst, Reading, RG31 5DD - Response received on 23/10/2023

143 Chapel Hill, Tilehurst, Reading, RG31 5DD - Responses received on 18/10/2023 and 23/10/2023

31 Childrey Way, Tilehurst, Reading, RG31 5EA - No response received.

33 Childrey Way, Tilehurst, Reading, RG31 5EA - Response received on 18/10/2023

35 Childrey Way, Tilehurst, Reading, RG31 5EA - Response received on 19/10/2023

West Berkshire Council - No response received.

Details of comments received as summarised:

- Concerns with regards to:
 - The proximity of the proposed dwelling to the boundary fence to 33 Childrey Way.
 - Noise and disturbance from the proposed dwelling to adjoining neighbours.
 - Future occupants of proposed dwelling being overlooked by properties along Childrey Way.
 - Glare from proposed solar panels, harming the living conditions of residents along Childrey Way.
 - Noise and fumes generated from vehicle trips to and from the proposed dwelling.
 - The plans demonstrating three bedrooms rather than two.
 - The proposal being an overdevelopment of the site, harming the character and appearance of the surrounding area.

- The appearance of the proposed dwelling is out of character with the surrounding area.
- The visual appearance of the proposed solar panels.
- The removal of trees within the proposal site.
- Lack of details regarding proposed boundary treatment.

The points raised above will be addressed within the 'Appraisal' section of this report.

Full comments available to view at: http://planning.reading.gov.uk/fastweb_PL/welcome.asp

A site notice was erected on 18/10/2023 for a period of 21 days, expiring on 08/11/2023. No further responses were received for the application.

4.2 Internal consultees

The following is a summary of response received from internal consultees.

Reading Borough Council, Ecology - Response received on 13/11/2023 (summarised)

- The application site may contain habitats that are suitable for use by protected species and surveys to confirm their presence or absence will need to be undertaken. These surveys and any mitigation plan will need to be submitted prior to the determination of the application, or the application should be refused on the grounds that insufficient information has been provided for the council to determine the likely impact of the proposals upon protected species.
- At present it has not been demonstrated that the proposals will result in a "net gain in biodiversity by quantifiable methods" as required by policy EN12 and the NPPF.

Reading Borough Council, Environmental Protection - No response received.

Reading Borough Council, Natural Environment - Response received on 15/11/2023

- With reference to the Arboricultural Impact Assessment (which includes a Tree Survey, Tree Protection Plan Arboricultural Method Statement) ref 2149 dated 25th September 2023:
- 8 individual trees and a 1 group of shrubs are to be removed to facilitate the development. I'm unclear why T3 Lawson cypress requires removal given it can be retained within the retained garden?
- No indicative landscaping is shown to mitigate tree loss, as is required by EN14 and our Tree Strategy. I note the inclusion of a green roof, but this is insufficient mitigation.
- Shading from off-site trees to the south is shown on the Tree Protection Plan and it can be seen that these shade the entire (small) amenity space provided for the new dwelling, as well as casting shade over the rear of the dwelling. The AIA concludes that this isn't a concern and states:
 - 'As the shade is being cast by trees which are not within site ownership future occupiers will not be able to reduce or remove the trees and their sustainability will be unaffected. There will be no large trees close enough to the new dwelling to produce a claustrophobic or threatening environment for future residents. Instead, retained trees will contribute to the amenity of the site and the screening of the dwelling'.
- On the first point, I would disagree, with common law rights allowing cutting back to the boundary and complaints, whether informal or formal (through a High Hedge Complaint) resulting in pressure on the tree owners to reduce or remove the trees - a pressure which is currently minimal, if any. On the second point, the trees are 8m tall evergreen trees, with scope to get much taller, in close proximity to a single storey dwelling - I would expect the outlook from the rear to not be desirable.

- The AMS doesn't appear to cover how the existing hard surfacing within the RPA of the offsite trees to the rear will be converted to lawn. The change would be positive for the trees, but would have to be done with care.
- No doubt, you will be considering the whether the size of the amenity space provision is acceptable - the size for the new dwelling adds to the pressure on the offsite trees.
- 6.3 rightly brings up the position of the solar panels in relation to tree shading, stating:
 - o 'PV panels are to be located on the roof and are shown on the site plan to be within the potential shading area however as the dwelling is to have a flat roof these could be relocated if the reduction in available light is considered to be an issue'
- It seems to me prudent to relocate these in the first instance.
- In conclusion, the development would result in pressure to prune or fell offsite trees and does not provide mitigation for the loss of trees resulting from the development proposal. As such it is contrary to EN14 and to RBC adopted Tree Strategy (2021).

Reading Borough Council, Transport Development Control - Response received on 14/11/2023

- This application seeks to construct a 3 bedroom bungalow in the rear garden area of No139 Chapel Hill.
- Chapel Hill is a designated as classified roads (C407) and the site is located within Zone 3, Secondary Core Area, of the Council's adopted Parking Standards and Design SPD. Typically these areas are within 400m of a Reading Buses high frequency 'Premier Route', which provides high quality bus routes to and from Reading town centre and other local centre facilities.
- In accordance with the adopted Parking Standards and Design SPD, the proposed new dwellings would require 2 off road parking spaces. The original dwelling, No 139 would need to retain its original parking provision which has been confirmed on the submitted site plan. Parking area will be served via an existing vehicle crossing. No changes are proposed.
- Submitted proposed site plan 220755/Pl/03 illustrates parking provision being provided for the proposed dwelling in accordance with the Councils current adopted Parking Standards and Design SPD.
- The new dwelling will be accessed directly from Chapel Hill Road via an existing vehicle crossing that leads to the proposed development at the rear of the site. The width of the access is approx 3m wide which is an acceptable width for a single dwelling. Any alterations will require a license from the Highways Team. Dimensions of the parking spaces and forecourt depths all conform to standards, there is also provision to be able to turn on site and leave the site in forward gear.
- Water run-off from the proposed dwelling onto the public highway is not permitted. An appropriate method of drainage needs to be provided within the property curtilage including the use of suitable permeable surfacing materials.
- The Council's Local Transport Plan 3 Strategy 2011 - 2026 includes policies for investing in new infrastructure to improve connections throughout and beyond Reading which include a network of publicly available Electric Vehicle (EV) charging points to encourage and enable low carbon or low energy travel choices for private and public transport. The Councils Local Plan was adopted in November 2019 and this includes a requirement at Policy TR5 for each new house to be provided with an electric charging point. An EV charging point has been illustrated on the submitted site plan, this is therefore deemed acceptable, however the installation of the charging point will need to conform with the latest building regulations.
- Cycle storage for a development of this nature can be provided in a private amenity area, submitted site plan illustrates a cycle storage area adjacent to the parking spaces, this is therefore deemed acceptable.
- Bin storage should not be located further than 15m from the access point of the site to avoid the stationing of service vehicles on the carriageway for excessive periods, and

should comply with Manual for Streets and British Standard 5906: 2005 for Waste Management in Buildings to avoid the stationing of service vehicles on the carriageway for excessive periods. Bins storage has been illustrated further than this, therefore a bin collection point will need to be illustrated on plans close to the property boundary to allow for kerb side collection. Revised plans required.

- A CMS will be required for this development.
- In principle there are no Transport objections to this application, off street parking is being provided in accordance with current standards and the addition of 1 dwelling would not intensify movements onto a classified road.

Reading Borough Council, Waste Services - Response received on 06/10/2023

- No objections. The residents will need to present bin on the collection day at the kerbside.

5. 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.

6. 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 (Adopted November 2019)

CC1 Presumption in Favour of Sustainable Development

CC2 Sustainable Design and Construction

CC3 Adaption to Climate Change

CC5 Waste Minimisation and Storage

CC6 Accessibility and the Intensity of Development

CC7 Design and the Public Realm

CC8 Safeguarding Amenity

H3 Affordable Housing

H5 Standards for New Housing

H10 Private and Communal Outdoor Space

H11 Development of Private Residential Gardens

EN12 Biodiversity and the Green Network

EN14 Trees, Hedges and Woodland

TR1 Achieving the Transport Strategy

TR3 Access, Traffic and Highway-Related Matters

TR5 Car and Cycle Parking and Electric Vehicle Charging

SPG/SPD

7. APPRAISAL

7.1 Land Use Principles

Policy H11 of the Reading Borough Local Plan sets out the requirements for residential development within private residential gardens.

Proposals for new residential development that includes land within the curtilage or the former curtilage of private residential gardens will be acceptable where:

1. *The proposal makes a positive contribution to the character of the area in terms of:*
 - *The relationship of the existing built form and spaces around buildings within the surrounding area;*
 - *A layout which integrates with the surrounding area with regard to the built up coverage of each plot, building line(s), rhythm of plot frontages, parking areas, and existing pattern of openings and boundary treatments on the site frontage;*
 - *Providing appropriate hard and soft landscaping, particularly at site boundaries. This includes features such as the variety of trees, hardstanding/lawns and hedges, etc;*
 - *Compatibility with the general building height within the surrounding area;*
 - *The materials and elevational detail. These should be high quality, and where appropriate distinctive and/ or complementary;*
 - *The arrangement of doors, windows and other principal architectural features and their rhythm between buildings.*

To be discussed further in this report under section 7.2 Design.

2. *The application site provides a site of adequate size and dimensions to accommodate the development proposed in terms of the setting and spacing around buildings, amenity space, landscaping and space for access roads and parking;*

To be discussed further in this report under section 7.3 Private and Communal Outdoor Space.

3. *The proposal includes access, which meets appropriate highway standards;*

To be discussed further in this report under section 7.6 Transport.

4. *The proposal does not lead to tandem development;*

The proposal would lead to tandem development as the proposed dwelling is located to the rear of 139 Chapel Hill, with the proposed dwelling having no frontage along Chapel Hill, and would be accessed via a private track alongside the front dwelling. Section 7.2 of this report will discuss whether this is a harmful form of tandem development.

5. *The design and layout minimises exposure of existing private boundaries to public areas, and avoids the need for additional physical security measures;*

To be discussed further in this report under section 7.2 Design.

6. *The proposal does not cause a significant detrimental impact to the amenity of adjacent and nearby occupants;*

To be discussed further in this report under section 7.5 Safeguarding Amenity.

7. The emphasis is on the provision of family-sized housing;

The proposal seeks the addition of a three-bedroom family dwelling to the site and the retention of a five-bedroom family dwelling.

8. The development provides biodiversity net gain wherever possible, and would not have an adverse impact on biodiversity in terms of the fragmentation of blocks of gardens, which as a unit or in association with adjacent green space are deemed to make an important contribution to biodiversity and contribute to the green network; and

To be discussed further in this report under section 7.8 Trees, Landscaping and Ecology.

9. The proposal does not prejudice the satisfactory development of a wider area.

It is not considered that the proposed development would prejudice the satisfactory development of the wider residential area, which consists largely of family sized homes.

There is also no in principle objection to the proposed development, provided the development complies with the Policies set out within the Reading Borough Local Plan, which will be discussed further within this report.

7.2 Design

Policy CC7 of the Reading Borough Local Plan requires all development to be of high quality design and maintain and enhance the character and appearance of the surrounding area. In this specific case; this concerns the following components:

- Layout: urban structure and urban grain;
- Landscape;
- Density and mix;
- Scale: height and massing; and
- Architectural detail and materials

The application is also subject to the relevant criteria of Policy H11 as outlined in paragraph 7.1 of this report.

The existing dwelling consist of a 4 bedroom detached dwelling, which has been extended under the approvals listed in section 3 of this report.

The area surrounding the proposal site along Chapel Hill largely consists of large one and two storey detached dwellings. It is considered that this is an established rhythm along Chapel Hill in terms of the size and scale of the developments with the dwellings varying in appearance and design. In terms of layout; the dwellings fronting Chapel Hill benefit from generously sized plots, with extensive rear gardens. 139 Chapel Hill benefits from a large garden space with a large garden building located to the rear of the site, close to dwellings fronting Childrey Way.

In terms of the appearance of the proposed development; the dwelling consists of a flat roof bungalow with a footprint of 109m², for contrast the footprint of the existing dwelling is 149m². The proposed dwelling has a low profile, with a maximum height of 2.96m.

Due to the constraints of the site, the development would be located to the rear of the existing dwelling at 139 Chapel Hill forming a tandem relationship. The development would result in the proposed dwelling having no frontage and would fail to have a strong visual relationship with existing dwellings along Chapel Hill.

The subdivision of the plot would be at odds with the pattern of development and spacious rear private gardens to dwellings along Chapel Hill. The size and character of the garden spaces to the proposed and existing dwelling is considered contrary to the surrounding area.

In isolation, the design of the proposed dwelling is not considered harmful, however, it would poorly integrate with the existing pattern of development. Its siting, orientation and plot layout would not integrate with the predominant layout of the surrounding area. The tandem relationship results in the dwelling having no frontage and face the rear elevation of the host dwelling. The layout would therefore be at odds with the pattern of development and spacious rear gardens along Chapel Hill, resulting in harm to the character and appearance of the surrounding area due to the overdevelopment of the site.

The subdivision of the plot is also considered to result in far less spacious garden areas for a site that would result in two family sized dwellings. The private garden space to the dwelling is considered especially poor, with a depth of just 5m to the rear boundary and would be overshadowed by trees within the rear gardens at Childrey Way. The size of the private amenity spaces proposed to the existing dwelling and the proposed dwelling is not considered to reflect the character and layout of other dwellings along Chapel Hill, with a significant amount of soft landscaping being lost. The development would result in a significant number of trees within the site, with the absence of soft landscaping principles which should include a variety of trees as specified in point 1 of Policy H11.

It is commended that the proposed dwelling incorporates design features that make the proposed dwelling sustainable. This is through the inclusion of solar panels, a sedum roof, triple glazing, an Air Source Heat Pump (referenced in the Planning Statement but not demonstrated on plans). It has been demonstrated that the development would even achieve a 106% improvement in the dwelling emission rate over the target emission rate. These benefits, however, are not considered to outweigh the harm of the development as it would result in a cramped overdeveloped site.

Overall, the development is considered to harm the character, appearance and layout of the surrounding area. In accordance with Policies CC7 and H11 of the Reading Borough Local Plan, the new dwelling is not considered to respond positively to the local context, and would result in a cramped, overdevelopment of the site.

7.3 Private and Communal Outdoor Space

This proposal has also been assessed against Reading Borough Local Plan policy H10: Private and Communal Outdoor Space, which states that:

- *Dwellings will be provided with functional private or communal open space, including green space wherever possible, that allows for suitable sitting-out areas, children's play areas, home food production, green waste composting, refuse storage, general outdoor storage and drying space. Houses will be provided with private outdoor space whereas flats may be provided with communal outdoor space, balconies and/or roof gardens.*
- *The design of outdoor areas will respect the size and character of other similar spaces in the vicinity, clearly identify whether they are private or communal spaces, ensure that they are appropriately related to main entrances, enhance safety and the perception of safety for future residents and the general public, and not be compromised by the relationship of other buildings which may be detrimental in terms of overlooking, overbearing or overshadowing.*

As discussed in section 7.2 of this report; the proposed development is considered not considered to provide adequate private amenity space to the existing dwelling at 139 Chapel Hill and the proposed dwelling from the resultant development.

As per paragraph 4.4.87 of the Reading Borough Local Plan; for houses “useable private outdoor space should be no less than the gross floor area of the dwelling to which it relates (measured externally and including garage space).”

As existing, 139 Chapel Hill benefits from a generously sized garden with a similar dwelling to amenity space relationship of other dwellings within the surrounding area along Chapel Hill. The proposed development would result in the subdivision of the plot between the existing and proposed dwellings, with a large portion of the plot converted to hard landscaping to facilitate access and vehicle parking to the proposed dwelling following the removal of three trees within the site.

Whilst not characterful of the surrounding area, the private garden space to 139 Chapel Hill is considered to be functional, and would allow for children’s play, sitting out, home food production, green waste composting, refuse storage, general outdoor storage and drying space. The proposed garden space to the proposed dwelling, however, would be heavily shaded by the existing trees within neighbouring properties, this could result in a pressure to prune these trees given the extended of the shading area as demonstrated on the Tree Protection Plan. The size of the proposed private garden space would also be less than that of the proposed dwelling, with the area of the private amenity space being 93m², with the GIA of the proposed dwelling being 97m². The proposed family sized dwelling is therefore not considered to benefit from sufficient private amenity space in terms of size or quality for future occupants and is therefore not in accordance with policies CC8 and H10 of the Reading Borough Local Plan 2019.

Due to the tandem layout, the garden space for the proposed dwelling would be subdivided into a noticeably smaller space when compared to the longer, private garden spaces that exist within the vicinity. As such, in this context, the proposed gardens would not respect the size and character of similar spaces in the vicinity.

The proposed development is therefore not considered in accordance with Policies CC8 and H10 of the Reading Borough Local Plan. In this regard, the development is also not considered in accordance with criteria 2 of Policy H11 (as highlighted in section 7.1 of this report) of the Reading Borough Local Plan.

7.4 Standards for New Housing

As this application is seeking the erection of a new dwelling, policy H5 of the Reading Borough Local Plan is applicable.

Policy CC3 (Adaptation to Climate Change) requires that development proposal incorporate sustainable design practices to take account of climate change. Policy H5 (Standards for New Housing) requires that all new housing is be built to the higher level of water efficiency standards under Building Regulations and achieves at a minimum a 19% improvement in the dwelling emission rates above the Building Regulations standards. As explained in section 7.2 of this report, an ‘As Designed’ SAP report has been submitted for this application, which demonstrates that the new dwelling would achieve a 106% improvement in the dwelling emission rate over the target emission rate. Had this application been recommended for approval, a condition would have been added requiring the submission of an ‘As Built’ SAP report demonstrating that the development has achieved the ‘As Designed’ outcome. Such details would have been required prior to first occupation of the new dwelling.

The proposed dwellings exceed the minimum gross internal floor areas and storage requirements as set out in policy H5 of the Reading Borough Local Plan. The gross internal floor area of the new dwelling is 97m², which is above the minimum space requirement of 86m² for a three bed,

five-person, one storey dwelling. No alterations to the gross internal floor area of the existing dwelling are proposed.

In accordance with Policy H5; “All new build housing will be accessible and adaptable in line with M4(2) of the Building Regulations, unless it is built in line with M4(3)”. The Design and Access Statement and Supplementary Statements for this application states that the proposed dwelling would be in general compliance with Part M of the Building Regulations. Having reviewed the plans it is considered that the internal layout is adaptable in line with M4(2) of the Building Regulations. Therefore, the proposed development is considered in accordance with policy H5 of the Reading Borough Local Plan.

7.5 Safeguarding Amenity

This proposal has also been assessed against Reading Borough Local Plan policy CC8: Safeguarding Amenity, which states that proposals are acceptable where they will not cause a detrimental impact on the living environment of existing residential properties with regard to:

- *Privacy and overlooking;*
- *Access to sunlight and daylight;*
- *Visual dominance and overbearing effects of a development;*
- *Harm to outlook;*
- *Noise and disturbance;*
- *Artificial lighting;*
- *Vibration;*
- *Dust and fumes;*
- *Smell;*
- *Crime and safety;*

Neighbours

The proposed dwelling is located close to the rear boundary of the site. The proposed block plan does not include the dwellings to the rear of the site along Childrey Way, so it is not possible to get an exact understanding of the relationship that the proposed dwelling would have with dwellings along Childrey Way. Based on the location plan provided, the rear elevation of the proposed dwelling would be around 17m from the rear elevation to 33 Childrey Way (an approximation based on the proposed block plan and location plan).

Concerns have been raised within the consultation to this application regarding noise generated from the proposed dwelling. This is with regards to the use of the dwelling as a family sized home, and vehicular trips to the rear of the site.

Given the residential character of the surrounding area, and the density of dwellings along Childrey Way, it is not considered that the residential use of the proposed dwelling would give rise to harmful levels of noise and disturbance to neighbouring residents. Concerning vehicle trips to the proposed dwelling, it is not anticipated that the number of trips that the use would generate would be any different to the other residential uses within the locality. With regards to disturbance and artificial lighting; due to the site sloping upwards from the front to the rear of the site, there may be disturbance from vehicle headlights to the rear of 33 Childrey Way during hours of darkness. This is, however, not likely to be a frequent occurrence given the residential use proposed.

Existing and Future Occupants

The outlook to bedrooms for the proposed dwelling is considered to be poor, with views of the side boundary and rear boundary to existing dwelling and parking area. The outlook from the living room is considered to be adequate, as it would provide a view of the private amenity space. Albeit the private amenity space to the proposed dwelling is not considered to be acceptable as discussed in section 7.3 of this report.

As discussed, the rear elevation of the proposed dwelling is located within approximately 17m of the rear elevation to 33 Childrey Way. At present the dividing boundary is lined by trees within 33 Childrey Way, which would provide screening between both the existing dwelling and the proposed dwelling. These trees cannot be relied upon to ensure the continued privacy to the proposed dwelling. Without the trees, the occupants of 33 Childrey Way would be able to look down to the rear elevation of the proposed dwelling from the first floor. The living conditions of the future occupants is therefore compromised due to this potential loss of privacy.

The development is considered to result in a cramped, overdeveloped relationship between the existing dwellings at 139 Chapel Hill and Childrey Way, and the proposed dwelling.

Overall, the proposed development is considered in accordance with Policy CC8 of the Reading Borough Local Plan due to the harm to living conditions of residents in the surrounding area and the future occupants of the proposed dwelling.

7.6 Transport

As stated in the response from Transport Development Control, there are no in principle objections to the scheme from a transport or highways perspective. A Construction Method Statement for the development would have been secured via condition to any approval of the application. A cycle store and bin store has been demonstrated on the proposed site plan and is considered to be acceptable. It is also recognised that the additional dwelling would not harmfully intensify vehicle movements along Chapel Hill.

Subject to conditions, the development is considered in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

7.7 Affordable Housing

In accordance with Policy H3 of the Reading Borough Local Plan; *“Residential development will make appropriate contribution towards affordable housing to meet the needs of Reading:*

- (...) on sites of 1 - 4 dwellings, a financial contribution will be made that will enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the Borough.”*

The applicant has confirmed that they agree to enter into a section 106 legal agreement to secure a policy compliant affordable housing contribution however given planning permission is to be refused for other reasons a section 106 has not been drafted and therefore this would amount to an additional reason for refusal of the planning application.

7.8 Landscaping and Ecology

As noted in the response from Ecology; a bat survey has not been carried out prior to the proposed demolition of the existing garage. The development has therefore not demonstrated that proposal would not result in harm to protected species and is therefore contrary to Policy EN12 of the Reading Borough Local Plan. The development also fails to demonstrate a net gain of biodiversity within the site, as required under Policy EN12 of the Reading Borough Local Plan.

Policies H11 and EN14 seeks to secure a variety of trees within development. With regards to existing trees within the site; several trees are to be removed, with no soft landscaping principles demonstrated. A green roof is proposed; however, this is not considered acceptable compensation for the proposed loss of trees within the site.

It is also noted that there would potentially be conflict between the location of the proposed PV panels, and the trees within the rear garden to 33 Childrey Way. It has not been demonstrated that the PV panels would not be interred by the presence of the trees to the south of the PV

panels. Had approval been recommended for this application; the details of the PV panels, including the final locations would have been secured via condition.

Further to the trees within 33 Childrey Way; branches of these trees overhang the location of the proposed garden to the new dwelling. It is considered likely that there would be pressure on the occupants of 33 Childrey Way to prune these trees to improve the quality of what would be a heavily shaded private garden area to the new dwelling.

The development fails to demonstrate soft landscaping principles, a biodiversity net gain, and would result on a pressure to prune trees within neighbouring properties. The development is therefore not considered in accordance with Policies CC7, EN12, EN14 and H11 of the Reading Borough Local Plan 2019.

8. CONCLUSION

Overall, the proposal would be an overdevelopment of the site, which would result in a cramped arrangement between the proposed dwelling and the existing dwelling.

Officers did advise the agent of these shortcomings and this conclusion. The agent was provided with an opportunity to withdraw the application prior to a decision being made, but this was not forthcoming (also acknowledging the right to appeal). Hence the above conclusion reached on the application, on the basis of the information submitted and consideration of all material matters.

Permission refused due to the following reasons:

1. The site, by reason of its restricted area, is unsuitable for the proposed development, which would appear cramped and out of character with other development in the locality. The proposal results in an unacceptable form of tandem development which would be incongruous in its context. As such, the proposal is contrary to Policies CC7 and H11 of the Reading Borough Local Plan 2019.
2. The proposed dwelling on part of the garden serving 139 Chapel Hill would result in inadequate functional rear garden amenity space being retained for the existing dwelling and the proposed dwelling. This indicates that the proposed development would constitute overdevelopment of the site of detriment to the character of the area and appearance of the existing and proposed dwelling as well as being harmful to the amenities of the current and future occupants of the existing and proposed dwelling contrary to Policies CC8, H10 and H11 of Reading Borough Local Plan 2019.
3. The proposed development would result in a loss of privacy to future occupants due to overlooking from 33 Childrey Way habitable rooms at the new dwelling. The presence of trees within the rear garden to 33 Childrey Way is not an acceptable solution for preserving the privacy for future occupants of the development. The development also provides poor outlook from habitable rooms at the new dwelling. The development is therefore not in accordance with Policy CC8 of the Reading Borough Local Plan 2019.
4. The development has failed to demonstrate a net gain for biodiversity within the site as measured using the DEFRA 4.0 Biodiversity Metric. Furthermore, in the absence of evidence to the contrary, because the proposals are likely to result in a net loss of biodiversity within the site, and there are no exceptional circumstances where the need for development clearly outweighs the need to protect the value of the site, off site compensation for the loss of biodiversity would not comply with Policy EN12 of the Reading Borough Local Plan. The development is therefore contrary to Policies EN12 and H11 of the Reading Borough Local Plan (2019) and NPPF (2021) paragraphs 179, 180 and 182.

5. Insufficient evidence had been provided to determine the likely impacts of the proposals on bats, which are a protected species and a material consideration in the planning process. The proposal is therefore contrary to policies H11 and EN12 and of the Reading Local Plan 2019, Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System and The Conservation of Habitats and Species Regulations 2017 (The Habitat Regulations).
6. The proposed development would result in a pressure to prune the trees within the rear garden to 33 Childrey Way to maintain the quality of the private garden to the new dwelling. The development is therefore contrary to Policies CC7 and EN14 of the Reading Borough Local Plan 2019.
7. In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough, contrary to Policy H3 of the Reading Borough Local Plan (2019) and the Council's adopted Affordable Housing Supplementary Planning Document 2021.

9. RECOMMENDATION

REFUSE

10. INFORMATIVES

IF0: Positive and Proactive Working - refusal

The Local Planning Authority has worked positively and proactively with the applicant to see if relevant concerns could be resolved to allow permission to be granted. However, that has not been possible within the agreed extended timescale and therefore the decision to refuse planning permission has been taken. The agent was given an opportunity to withdraw the application in advance of the refusal being issued but this was not acted upon.

C00: Plans Considered

The refusal relates only to the following plans and information as received by the local planning authority:

- Location Plans - 22075/PL/01 Rev B
- Existing Site Plan & Site Section/Elevation - 22075/PL/02 Rev B
- Proposed Site Plan & Site Section/Elevation - 22075/PL/03 Rev C
- Existing Floor Plans and Elevations - 22075/PL/04 Rev C
- Proposed Floor Plans and Elevations - 22075/PL/05 Rev C
- Planning Statement - 22075- 139 Chapel Hill
- Predicted Energy Assessment
- SAP Calculation: New Build (As Designed) prepare by Elmhurst Energy

Received on 15/07/2023

- Arboricultural Impact Assessment prepared by SJ Stephens Associates - 2149
- Tree Protection Plan - 2149-01 Rev A
- Affordable Housing Statement

Received on 26/09/2023

I14: Pre-app Advice

This planning application was submitted without the benefit of first seeking pre-application advice from the Local Planning Authority, which can often result in the avoidance of refusal of planning permission. Please see the following link to the Council's pre-application service here:

http://www.reading.gov.uk/media/1190/Pre-Application-Enquiry-Form/pdf/Pre-app_Nov_2016.pdf

