

DELEGATED APPLICATION REPORT

Ward: Park

App Ref: 230375/HOU

Address: 85 Hamilton Road, Reading, RG1 5RB

Proposals: Demolition of existing garage and replacement with new single garage. Part single storey extension excluding basement, part 2.5 storey extension excluding basement following demolition of existing rear outhouse extension. Removal of single pier to front boundary and insertion of new ironwork gate, and associated changes to fenestration.

Case Officer: Mr David Brett

Applicant: Ms Penchukova

Date received (valid from): 22/03/2023

Target Decision Date: 17/05/2023

1. INTRODUCTION

The proposal site is a two-storey detached dwelling located on Hamilton Road, Park Ward. The surrounding area is considered predominantly residential with a mix of detached and semi-detached dwellings with generously sized gardens. Maiden Erleigh School is located 100m to the east.

The proposal site is located within the South Park Conservation Area, with the dwelling identified as a Building of Townscape Merit.



Fig 1. Front of 85 Hamilton Road. Site photo taken on 30/11/2022.



Fig 2. Rear of 85 Hamilton Road. Site photo taken on 30/11/2022.



Fig 3. Rear of 85 Hamilton Road. Site photo taken on 30/11/2022.

A site visit was undertaken by the case officer on 30/11/2022 in relation to application 221630.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposed development seeks:

- Demolition of existing garage and replacement with new single garage.
- Part single storey extension excluding basement, part 2.5 storey extension excluding basement following demolition of existing rear outhouse extension.
- Removal of single pier to front boundary and insertion of new ironwork gate, and associated changes to fenestration.
- Additional windows to the side elevations of the existing dwelling.

Plans considered:

- Design & Access, Planning and Heritage Statement
- Site Location Plan – A4/345/OS1
- Details of Existing Floor Plans Basement & Ground Floor – A4/345/01
- Details of Existing Floor Plans First & Second Floor – A4/345/02
- Details of Existing Elevations – A4/345/03
- Details of Proposed Floor Plans Basement & Ground Floor – A1/345/04
- Details of Proposed Floor Plans First & Second Floor – A1/345/05
- Details of Proposed Elevations – A1/345/06
- Tree Protection Plan 0 A1/345/07
- Existing Block Plan – A4/345/10
- Proposed Block Plan – A4/345/11
- Preliminary Roost Assessment – Issue 2 (dated 31/01/2022)
- Bat Emergence and Re-entry Surveys – Issue 2 (dated 27/05/2022)

Received on 22/03/2023

3. RELEVANT PLANNING HISTORY

211981/HOU - Demolition of existing garage and replacement with new single garage. 3 storey rear extension with basement extension following demolition of rear outhouse extension. Removal of single pier to front boundary and insertion of new ironwork gate. – Application Refused on 12/05/2022. Reasons for Refusal:

1. By virtue of its excessive width and depth, the rear extension would have an over-scaled appearance disproportionate, and not subservient, to the original dwelling. The resultant extension would cause significant detrimental harm to the character and appearance of the original dwelling and the wider Conservation Area. The proposal is therefore of poor design which is contrary to Policies CC7, EN1, EN3, EN6 and H9 of the Reading Borough Local Plan (2019) and the Design Guide to House Extensions SPD
2. By virtue of their proximity to sideward boundaries, significant overlooking/perception of overlooking would occur to 83 and 87a Hamilton Road from the proposed first floor sideward windows. This would cause a significant detrimental impact to the residential amenities of the occupants of 83 and 87a Hamilton Road in terms of loss of privacy through overlooking. The proposal is therefore contrary to Policy CC8 of the Reading Borough Local Plan (2019) and the Design Guide to House Extensions SPD (2021).

221630/HOU - Demolition of existing garage and replacement with new single garage. 3 storey rear extension with basement extension following demolition of rear outhouse extension. Removal of single pier to front boundary and insertion of new ironwork gate. – Application Withdrawn on 26/01/2023

4. CONSULTATIONS

4.1 The following addresses were consulted by letter.

83 Hamilton Road, Reading, RG1 5RB – Responses received on 10/04/2023 and 25/04/2023

Flat 1, 83 Hamilton Road, Reading, RG1 5RB – No response received.

Flat 2, 83 Hamilton Road, Reading, RG1 5RB – No response received.

Flat 3, 83 Hamilton Road, Reading, RG1 5RB – No response received.
Flat 4, 83 Hamilton Road, Reading, RG1 5RB – No response received.
Flat 5, 83 Hamilton Road, Reading, RG1 5RB – No response received.
Flat 6, 83 Hamilton Road, Reading, RG1 5RB – No response received.
Flat 7, 83 Hamilton Road, Reading, RG1 5RB – No response received.
Flat 8, 83 Hamilton Road, Reading, RG1 5RB – No response received.
Flat 9, 83 Hamilton Road, Reading, RG1 5RB – No response received.
Flat 10, 83 Hamilton Road, Reading, RG1 5RB – No response received.
83a Hamilton Road, Reading, RG1 5RB – See response from 83 Hamilton Road
87a Hamilton Road, Reading, RG1 5RB – Responses from two occupants received on 08/05/2023
90b Bulmershe Road, Reading, RG1 5RL – No response received.

A site notice was erected on 31/03/2023 for a period of 21 days, expiring on 21/04/2023.

All of the response received for this application were in the form of objections to the development. The comments received are summarised as follows:

- Overlooking from the result of the proposed side facing windows.
- Location of the proposed garage in relation to the party wall.
- Loss of light to habitable rooms.
- Concerns of subsidence due to the erection of the proposed garage.
- Concerns of the visual impact of the development upon the Conservation Area.

4.2 Consultee

The following is a summary of response received from consultees.

Reading Borough Council, Transport – Response received on 17/04/2023

- As part of the proposed works a new garage is to be constructed, plans indicate that the new location will bring it forward, towards the front of the house. The dimension of the proposed garage do not conform to the recommended dimensions detailed in the Councils current adopted standards, where it states garages should be 7m in length and 3m wide. Submitted plan A1/345/04 illustrates additional on-site parking, therefore in this instance the proposed garage can be accepted, however it is noted that the gates are to be relocated in line with the front boundary.
- Transport would not support the proposed location of the gates; these would need to be set back into the site a minimum of 5m to ensure that the carriageway and footway are not blocked while vehicles wait to enter the site and to provide adequate visibility. Revised plans are required with the gates removed or set back into the site; it should be noted that this should not reduce the proposed on-site parking provision.
- The basement is also to be extended which will require excavation work, in order to protect the stability/safety of the highway it is recommended that the Councils Highways Department should be consulted with regards to the excavation work and proximity to the highway.

Reading Borough Council, Ecology – Response received on 26/04/2023

- The Bat Emergence survey report (Arbtech, May 2022) has been undertaken to the appropriate standard and details the results of a dusk emergence carried out in May 2022. The report concludes that both house and garage are unlikely to host roosting bats and as such, there are no objections to this application on ecological grounds.
- However, as noted in the preliminary bat survey report (Arbtech, January 2022) evidence of current bird nesting activity was found between the brickwork and the soffits. This area will be affected by the works and a condition should be set to ensure that these birds are not harmed during the works.

Reading Borough Council, Natural Environment – No response received.

Reading Borough Council, Conservation & Urban Design Officer – No response received.

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:

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

National Policy

National Planning Policy Framework

National Planning Practice Guidance

Reading Borough Local Plan (Adopted November 2019)

CC7 Design and the Public Realm

CC8 Safeguarding Amenity

H9 House Extensions and Ancillary Accommodation

H10 Private and Communal Outdoor Space

EN1 Protection and Enhancement of the Historic Environment

EN3 Enhancement of Conservation Areas

EN4 Locally Important Heritage Assets

EN6 New Development in a Historic Context

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

South Park Conservation Area Appraisal (March 2005)

Design Guide to House Extensions SPD (March 2021)

Revised Parking Standards and Design SPD (October 2011)

7. APPRAISAL

7.1 Design

In accordance with Reading Borough Local Plan policy H9: House Extensions and Ancillary Accommodation, house extension proposals are acceptable where it:

- *Respects the character and appearance of the house in terms of scale and locations.*
- *Respects the character and pattern of neighbouring properties and appearance of the street as a whole in terms of scale, location, materials and design, the arrangement of doors, windows and other principal architectural features and any important existing building line.*

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
- Landscape
- Scale: height and massing; and
- Architectural detail and materials

Policy EN1 of the Reading Borough Local Plan requires development to enhance their historic context, including within Conservation Areas:

- *All proposals will be expected to protect and where possible enhance the significance of heritage assets and their settings, the historic character and local distinctiveness of the area in which they are located. Proposals should seek to avoid harm in the first instance. Any harm to or loss of a heritage asset should require clear and convincing justification, usually in the form of public benefits.*

Policy EN3 of the Reading Borough Local Plan also requires development to conserve and enhance the special interest, character and architecture within the Conservation Area.

As existing, 85 Hamilton Road is a large, 2 storey detached dwelling. The Conservation Area Appraisal for South Park lists 85 Hamilton Road as being an important building within the Conservation Area. The notes on 85 Hamilton Road within the appraisal make reference to the gabled slate roof, bracketed eaves, bath stone mouldings around windows and string courses, and the ornate stone-clad porch. The rear of 85 Hamilton Road has lost its symmetry in terms of fenestration (see fig 2 and 3), however, in terms of its overall appearance the dwelling appears symmetrical.

The proposed development to the rear of 85 Hamilton Road consists of a three-storey rear extension, which extends the full width of the dwelling at ground floor level, with the first floor rear extension being set in from number 83 Hamilton Road. It is acknowledged that the proposed development would likely tidy up the existing fenestration to the rear, however, the extension overall would appear unbalanced and overly scaled in relation to the existing dwelling. The unbalanced appearance is exacerbated by the pitched roof formation to the ground floor element. The unbalanced appearance of the rear is further evident by the change in eaves heights between the proposed garage and the ground floor extensions.

The set down of the roof to the first-floor element from the existing ridge is acknowledged, however, due to the width of the first-floor element a crown roof is proposed to the rear. The inclusion of a crown roof is considered an indicator of the overdevelopment of the rear of the existing dwelling. Due to the shallow pitch of the existing roof, it is considered difficult to envisage how an extension the size and scale of that proposed would suitably integrate with the existing dwelling. As proposed, the development is therefore considered inappropriate and harmful to the character and appearance of the existing dwelling and surrounding Conservation Area due to the size, scale and appearance of the proposed extensions.

It should also be noted that paragraph 7.1.1 of the Design Guide to House Extensions SPD (March 2021) states that rear extensions would unlikely be supported if the extend more than 4m from the existing dwelling. This applies to both single storey and two storey rear extensions. The proposed development extends 4.7m from the rear of the existing dwelling. Given the generous size of the rear garden, it is considered the plot is capable to taking extensions of more than 4m, however, this does not overcome the poor integration of the extensions with the existing dwelling.

Overall, the proposed extensions are not considered subservient to the existing dwelling and are harmful to the character and appearance of the existing dwelling and wider Conservation Area.

In accordance with Reading Borough Local Plan policy H9: House Extensions and Ancillary Accommodation, house extension proposals are acceptable where it:

- *Does not result in a loss of biodiversity within gardens.*

It is not considered that the proposal would result in a loss of biodiversity within the garden to the point of refusal for this application. The extensions to the main house are to be constructed upon an already developed part of the site, so there will not be a harmful loss of existing green landscaping.

7.2 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 including factors (amongst others):

- *Privacy and overlooking*
- *Access to sunlight and daylight*
- *Visual dominance and overbearing effects of a development*
- *Harm to outlook*
- *Noise and disturbance*

Concerns have been raised with regards to the impact of the proposed side facing windows to the existing dwelling. If new windows are in an upper-floor side elevation and are to be obscure-glazed and either non opening or openable from more than 1.7 metres above the floor level, planning permission is not required¹. For planning permission not to be required, the new windows and doors also need to be of a similar appearance to those used in the construction of the house (note - a new bay window will be treated as an extension and may require permission). This also applies to development within Conservation Areas.

Nevertheless, it is also acknowledged that reason for refusal 2 of application 211981 cited overlooking and the perception of overlooking from the side facing windows (see section 3 of this report). As one of the proposed side facing windows under application 211981 served a bedroom, with the proposed window being the only window serving that bedroom, it was considered unacceptable by officers that this window be obscure glazed, providing no outlook for future occupants. Therefore, conditioning these windows to be obscure glazed would not have been acceptable, which is why reason for refusal 2 was included. Under this application, the proposed first floor side facing windows serve a bathroom (northeast facing elevation), and a dressing room (southeast facing elevation). The requirement for the windows serving the bathroom and dressing room to be obscure glazed and top openable as demonstrated on the plans is considered acceptable. Had approval been recommended for this application, a condition would have been included for these windows to be obscure glazed and openable from a minimum height of 1.7m.

Concerns have also been raised with regards to loss of light to habitable rooms. The proposed extensions are at a smaller scale than that of refusal 211981, where loss of light to the habitable rooms of neighbouring properties was not a reason for refusal. Specific concerns have been raised in relation to loss of light to the kitchen window serving Coach House at 83 Hamilton Road. As existing, light to the existing kitchen window serving the Coach House is impinged by the existing boundary wall to number 85. The proposed development is not considered to worsen the living conditions at the Coach House.

¹ <https://www.planningportal.co.uk/permission/common-projects/doors-and-windows/planning-permission>.



Fig 4. Kitchen window serving the Coach House at 83 Hamilton Road. Site photo taken on 30/11/2022.



Fig 5. The Coach House at 83 Hamilton Road. Site photo taken on 30/11/2022.

Overall, the proposed development is not considered harmful to the living conditions of neighbouring properties or residents is therefore considered in accordance with Policy CC8 of the Reading Borough Local Plan.

7.3 Transport

As per the response from Transport Development Control, the proposed location of the gates are not supported as these would need to be set back into the site a minimum of 5m to ensure that the carriageway and footway are not blocked while vehicles wait to enter the site and to provide adequate visibility. The proposal poses as risk to highway safety and is therefore contrary to Policy TR3 of the Reading Borough Local Plan (2019).

7.4 Other Matters

The agent was advised that the officer recommendation for the application would be for refusal on 09/05/2023, and that the issues raised are of a nature which means that they are not able to overcome as part of this application, as they would require fundamental changes to the proposal. Therefore, revised plans would not be appropriate in this instance. The agent was provided timeframes to withdraw the application or receive the refusal decision. The decision was ultimately made by the agent's client to receive the refusal decision.

8. CONCLUSION

This application is not supported by officers in terms of its visual impact on the character and appearance of the existing dwelling and the Conservation Area. The proposed development is considered to poorly integrate with the existing dwelling in terms of size, scale and appearance.

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. By virtue of its excessive depth and discordant appearance, the rear extension would have an over-scaled appearance, disproportionate, and not subservient, to the original dwelling. The resultant extension would cause significant detrimental harm to the character and appearance of the original dwelling and the wider Conservation Area. The proposal is

therefore of poor design which is contrary to Policies CC7, EN1, EN3, EN4, EN6 and H9 of the Reading Borough Local Plan (2019) and the Design Guide to House Extensions SPD

2. The proposed positioning of the gates would have an adverse effect on road safety and the flow of traffic as this could result in the vehicles waiting in the carriageway to enter the site while waiting for the gates to open. The proposal is therefore contrary to Policy TR3 of the Reading Borough Local Plan (2019)

9. RECOMMENDATION

REFUSE

10. INFORMATIVES

Standard 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.

I00: Plans Considered

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

Plans considered:

- Design & Access, Planning and Heritage Statement
- Site Location Plan – A4/345/OS1
- Details of Existing Floor Plans Basement & Ground Floor – A4/345/01
- Details of Existing Floor Plans First & Second Floor – A4/345/02
- Details of Existing Elevations – A4/345/03
- Details of Proposed Floor Plans Basement & Ground Floor – A1/345/04
- Details of Proposed Floor Plans First & Second Floor – A1/345/05
- Details of Proposed Elevations – A1/345/06
- Tree Protection Plan 0 A1/345/07
- Existing Block Plan – A4/345/10
- Proposed Block Plan – A4/345/11
- Preliminary Roost Assessment – Issue 2 (dated 31/01/2022)
- Bat Emergence and Re-entry Surveys – Issue 2 (dated 27/05/2022)

Received on 22/03/2023

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