

Section 55 Town and Country Planning Act

Design and Access Statement

Construction of two houses following demolition of the existing detached bungalow
(Resubmission of ref 180656)

8 Ardler Road Reading Berkshire

Site Information

Consultant	Jonathan McDermott
Client	Kyle Seeley
Site Address	8 Ardler Road Reading Berkshire
LA	Reading
Description of Development	Construction of two houses following demolition of the existing detached bungalow (Resubmission of ref 180656)
Pathway (PD/Application/Appeal)	Planning Application

Constraints Review

Flood Risk Zone	3
Contaminated Land	No
Tree Preservation Order	No
Heritage Assets	No
Noise Abatement Areas	No
Explosive Hazard Areas	No
Area of Outstanding Natural Beauty	No
Special Protection Area	No
Site of Special Scientific Interest	No
RAMSAR Convention Site	No
Site of Importance to Nature Conservation	No
Article 4(2) Directions	No

Local Policy Requirements

Local Plan/Core Strategy

Reading

Effective Policies in Development Control

Borough Local Plan

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
CC2: SUSTAINABLE DESIGN AND CONSTRUCTION
CC5: WASTE MINIMISATION AND STORAGE
CC8: SAFEGUARDING AMENITY
EN18: FLOODING AND DRAINAGE
H1: PROVISION OF HOUSING
H2: DENSITY AND MIX
H3: AFFORDABLE HOUSING
H5: STANDARDS FOR NEW HOUSING
H7: PROTECTING THE EXISTING HOUSING STOCK
H10: PRIVATE AND COMMUNAL OUTDOOR SPACE
TR1: ACHIEVING THE TRANSPORT STRATEGY
TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING

SPG/SPD's

Report Date

13 March 2023

1. Introduction

1.1. The site relates to 8 Ardler Road, a detached bungalow located on the west side of the street and within an area characterised by two-storey terraced houses. This application is the latest in a sequence of applications on this site and follows a planning approval. As the development has not been commenced within the required time limit a further application is sought to renew this scheme.

About Town Planning Expert

1.2. Town Planning Expert is a general needs planning consultancy formed in 2012 and practising as a Chartered Planning Practice. Town Planning Expert is instructed to prepare this design and access statement for development as set out below.

Our VICTORY © Framework

1.3. Our VICTORY Framework applies a policy, plan lead, approach to development with the intent of gaining planning permission in a manner that complies with National and Local Planning Policy in accordance with S38 of the Planning and Compulsory Purchase Act 2004.

The Development Proposed

1.4. Planning permission is sought for the demolition of the existing bungalow and construction of a pair of semi-detached houses as a resubmission of planning approval 180656.

Executive Summary

1.5. The Adopted Local Plan and NPPF make clear that planning permission should be granted for new housing lead development in sustainable locations within existing towns and cities. As this statement demonstrates the proposal will enable the provision of a pair of homes consistent with the decision of the council in planning reference 180656 and in a manner that will continue to preserve the character and appearance of the locality and will not amount to an impact to amenity.

2. National and Local Development Frameworks.

National Planning Policy Framework

2.1. The Ministry of Housing, Communities and Local Government published the revised National Planning Policy Framework on 24 July 2018. This was the first revision of the National Planning Policy Framework since 2012. It implemented around 85 reforms announced previously through the Housing white paper, the planning for the right homes in the right places consultation and the draft revised National Planning Policy Framework consultation. Following a technical consultation on updates to national planning policy, we have made very minor changes to the text and published an updated Framework in July 2021. The National Planning Policy Framework is a vital tool in ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment.

2.2. The current local plan post dates the 2006 relevance date within the NPPF and together with the NPPF provides the most current planning policy for Reading. The relevant sections of the NPPF are set out below:

Introduction

2. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise 3. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

5. The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications.

Achieving sustainable development

7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).

11. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area;

or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay;

or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date 7, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed 6;

or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

**6 The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change. 7 This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.*

Decision Making

38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Determining Applications

47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

48. Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given) 22.

**22 During the transitional period for emerging plans submitted for examination (set out in paragraph 214), consistency should be tested against the previous Framework published in March 2012.*

Delivering a sufficient supply of homes

60. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that

the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

61. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

62. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

71. Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Promoting healthy and safe communities

92. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and*

e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Promoting sustainable transport

104. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;*
- and e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.*

106. Planning policies should:

- a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;*
- b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;*
- c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;*
- d) provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans);*
- e) provide for any large scale transport facilities that need to be located in the area 42, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. In doing so they should take into account whether such development is likely to be a nationally significant infrastructure project and any relevant national policy statements;*
- and f) recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in*

serving business, leisure, training and emergency service needs, and the Government's General Aviation Strategy 43.

107. If setting local parking standards for residential and non-residential development, policies should take into account:

- a) the accessibility of the development;*
- b) the type, mix and use of development;*
- c) the availability of and opportunities for public transport;*
- d) local car ownership levels; and*
- e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.*

106. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

108. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

109. Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use.

Making effective use of land

119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

120. Planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)⁴⁸; and*
- e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.***

Achieving well-designed places

124. Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.*

Climate change and Flood Risk

152. The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

153. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures⁵³. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.

154. New development should be planned for in ways that:

- a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green*

infrastructure; and

b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.

155. To help increase the use and supply of renewable and low carbon energy and heat, plans should:

a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);

b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and

c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for colocating potential heat customers and suppliers.

157. In determining planning applications, local planning authorities should expect new development to:

a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

159. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

160. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.

161. All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:

a) applying the sequential test and then, if necessary, the exception test as set out below;

b) safeguarding land from development that is required, or likely to be required, for current or future flood management;

c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and

d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.

162. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

163. If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.

164. The application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:

a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

165. Both elements of the exception test should be satisfied for development to be allocated or permitted.

166. Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.

167. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment⁵⁵. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) any residual risk can be safely managed; and*
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.*

168. Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 55.

Annex 1: Implementation

212. The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this replacement Framework has made. This should be progressed as quickly as possible, either through a partial revision or by preparing a new plan.

213. However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

214. The policies in the previous Framework published in March 2012 will apply for the purpose of examining plans, where those plans were submitted 69 on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in this Framework will apply to any subsequent plan produced for the area concerned.

215. The Housing Delivery Test will apply from the day following the publication of the Housing Delivery Test results in November 2018. For the purpose of footnote 7 in this Framework, delivery of housing which was substantially below the housing requirement means where the Housing Delivery Test results published in:

- a) November 2018 indicate that delivery was below 25% of housing required over the previous three years;*
- b) November 2019 indicate that delivery was below 45% of housing required over the previous three years;*
- c) November 2020 and in subsequent years indicate that delivery was below 75% of housing required over the previous three years.*

Local Policy

2.3. The relevant policies are located within the Borough Local Plan.

2.4. We set out below the reasons why this development complies with the noted policies in full.

Policy	Comment
CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT	The development is within an existing settlement and therefore defined as sustainable under the three principles of sustainability.
CC2: SUSTAINABLE DESIGN AND CONSTRUCTION	The development can incorporate sustainable design and construction techniques as required by this policy.

CC5: WASTE MINIMISATION AND STORAGE	The development incorporates storage for waste and recycling streams.
CC8: SAFEGUARDING AMENITY	As demonstrated within the previous application the design of the scheme has no substantive effect on residential amenity and therefore complies with this policy.
EN18: FLOODING AND DRAINAGE	As demonstrated within the previous scheme the site is in a sequentially preferable location and does not place additional persons at substantive risk.
H1: PROVISION OF HOUSING	The provides one additional dwelling and therefore complies.
H2: DENSITY AND MIX	As demonstrated within the previous scheme the development complies with the requirements of H2.
H3: AFFORDABLE HOUSING	As demonstrated within the previous scheme the developer is happy to engage with the LPA and secure a legal agreement to provide a viability assessed contribution for affordable housing.
H5: STANDARDS FOR NEW HOUSING	The proposal can comply with the provisions of H5(b)(d) and (e) as deemed relevant and these can be secured by condition.
H7: PROTECTING THE EXISTING HOUSING STOCK	The proposal does not result in a net loss.
H10: PRIVATE AND COMMUNAL OUTDOOR SPACE	As demonstrated within the previous scheme the development provides more than adequate garden space.
TR1: ACHIEVING THE TRANSPORT STRATEGY	The proposal complies in full.

TR5: CAR AND CYCLE PARKING AND
ELECTRIC VEHICLE CHARGING

The proposal complies in full.

3. The Planning History

3.1. 170574/FUL - Demolition of existing bungalow and construction of 2 x 2 storey semi-detached houses. Refused 13/07/17.

Reasons for refusal:

1. The application does not include submission of a suitable justification against the flooding 'Sequential Test', which is required due to the application site's location within Flood Zones 2 and 3. As such it has not been demonstrated that there are no other alternative sites outside Flood Zones 2 and 3 that should be developed in preference to the application site. For this reason, the application is contrary to Policy CS35 (Flooding) of the Reading Borough LDF Core Strategy 2008 (altered 2015) and the National Planning Policy Framework 2012, paragraph 101.

2. The submitted Flood Risk Assessment fails to demonstrate that the proposal would not result in the increased risk of flooding to the proposed development itself or dwellings beyond the site boundary and contains no measures to mitigate such risk, contrary to Policy CS35 (Flooding) of the Reading Borough LDF Core Strategy 2008 (altered 2015) and guidance within National Planning Policy Guidance and the National Planning Policy Framework, 2012.

3. Due to its height, massing and scale, the proposal would appear overly dominant in relation to the neighbouring row of terraced properties, would appear as an overdevelopment within the plot and would appear out of keeping with the prevailing pattern of development on Ardler Road. The proposal would appear poorly integrated within the Ardler Road streetscene, resulting in an overbearing and visually intrusive form of development to the smaller-scale residential to the south and the open character of the allotments to the north. For these reasons, the proposal would fail to maintain and enhance the character of the locality and would therefore be contrary to Policy CS7 (Design and the Public Realm) of the Reading Borough LDF Core Strategy 2008 (altered 2015), and Policies DM4 (Safeguarding Amenity) and DM11 Development of Private Residential Garden Land) of the Reading Borough LDF Sites and Detailed Policies Document 2012 (altered 2015).

4. The proposal fails to demonstrate that there would be a sufficient level of parking in

accordance with the Local Planning Authority's parking standards. This could result in increased competition for on- street parking, adversely affecting road safety and the flow of traffic, contrary to Policy CS24 (Car/Cycle Parking) of the Reading Borough LDF Core Strategy 2008 (altered 2015) and Policy DM12 (Access, Traffic and Highway- Related Matters) of the Sites and Detailed Policies Document 2012 (altered 2015).

5. The application has failed to include sufficient information for the Council to determine whether or not bats (a protected species and therefore a material planning consideration) will be adversely affected by the proposed development. As such the proposal is considered to be contrary to Policy CS36 (Biodiversity and Geology) of the Reading Borough LDF Core Strategy 2008 (amended 2015) and the National Planning Policy Framework 2012 (paragraphs 109 and 118).

6. 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 and the objective of creating mixed and balanced communities and as such is contrary to Policy DM6 (Affordable Housing) of the Reading Borough LDF Sites and Detailed Policies Document 2012 (altered 2015) and the Council's adopted Affordable Housing Supplementary Planning Document (2013).

3.2. Appeal (APP/E0345/W/17/3183456) lodged and dismissed on 21/03/18. Key extracts of the appeal decision notice are below:

Paragraph 2: "Following the submission of a protected species survey, the Council have confirmed that they concede their 5th reason for refusal, as set out in the Decision Notice".

Paragraphs 3-8: In terms of flooding (reasons for refusal 1&2), the Inspector did not accept the sequential test information submitted by the appellant – paragraph 7 states it "falls significantly short of a robust case necessary to demonstrate that the Sequential Test is passed"

Paragraph 8 continues "I therefore cannot be satisfied that there are no reasonable alternatives for such development where flood risk would be lower. Without such information, and given the seriousness of the consequences of flooding, it cannot be demonstrated that the redevelopment of the appeal site for housing would be acceptable".

Paragraphs 9-11: The Inspector did not accept the exception test information submitted by the appellant.

Paragraphs 10-11 states: “as the Sequential Test has failed, the Exception Test does not fall to be considered further. I therefore conclude that, in the absence of any robust evidence to demonstrate that the dwelling could not be located in an area with a lower risk of flooding, the proposal would not provide a suitable site for housing. As a consequence, it would be contrary to CS Policy CS35 and paragraphs 100 and 101 of the Framework which seeks to direct development away from areas of highest flood risk”.

Paragraphs 12-17 relate to highway safety matters (reason for refusal 4), with the Inspector concluding at paragraph 17 “that the lack of parking within the proposed scheme would cause harm to highway safety. The development would conflict with CS Policy CS24 and SDPD Policy DM12, as well as the SPD”.

Paragraphs 18-23 relate to affordable housing matters (reason for refusal 6), with the Inspector concluding at paragraphs 22-23 that “I find the Council’s evidence to be compelling and the adopted policy stance seeking to secure affordable housing contributions from small scale sites to be justified. I am also mindful that a number of my colleagues have reached similar conclusions in other appeal decisions in the Borough. In the absence of any contribution, on this matter I therefore consider that the proposal fails to make an adequate provision for affordable housing, in conflict with Policy DM6 of the SPDP. Accordingly, the development would fail to create mixed and balanced communities within the Borough”.

Paragraphs 24-27 relate to design based matters (reason for refusal 3), with the Inspector concluding at paragraph 27 that “the development would have a satisfactory design and appearance which would cause no harm to the character and appearance of the area. The proposals would accord with CS Policy CS7 which requires that the character and appearance of the area of Reading in which it is located is maintained. The development would also comply with SPDP Policies DM4 and DM11 which seek to protect residential amenity and ensure development is compatible with the local area”.

In overall terms the Inspector therefore concluded at paragraphs 28-29 that “While I have found no harm to character and appearance of the area, I have found harm in respect of flood risk, lack of affordable housing and to highway safety. For these reasons, and having regard to all other matters raised, the appeal should be dismissed”.

As such, the appeal was dismissed on the basis of reasons for refusal 1, 2, 4 and 6. Reason for refusal 5 was addressed prior to the appeal decision, and the Inspector did not agree with reason for refusal 4.

3.3. Planning permission 180656/FUL for the demolition of existing bungalow and construction of 2x 2 storey semi-detached houses with associated car parking. (Resubmission of 170574) granted 17/05/19.

This application is a resubmission of that previously approved scheme.

4. Site, Context and Comparable Forms of Development

4.1. Ardler Road is characterised by a mix of two-storey terraced suburban houses dating from the 1900s.

5. The Development Team

5.1. The developer comprises a small business operating within Reading and delivering quality units of living accommodation for local occupation.

5.2. Where possible the applicant utilises local builders and other trades in order to carry out development.

6. Alternative Forms of Development Considered

6.1. The existing building comprises a detached house. Given this the following are available to the applicant as alternative uses:

Class C3(b) - Small care home

Class C3(c) - Shared accommodation not falling within Class C4.

6.3. This approach is supported by Regina (Mansell) v Tonbridge and Malling Borough Council [2017] EWCA Civ 1314.

7. Constraints to Development

7.1. The existing building is not within a Conservation Area and not Listed.

7.2. The site is within Flood Risk Zone 3 and the flood risk information submitted previously concluded that the site could be developed and not result in additional persons being placed at risk in a flood event.

8. The Principle of Development

8.1. The principle of development was established under planning permission 180656/FUL. There have been no material changes in circumstance and no alterations to the local policy framework which would draw a different conclusion and as such planning permission can be granted again under the new Borough Local Plan.

8.2. The site itself is in a highly sustainable location and as such the development is acceptable in principle.

Affordable Housing

8.3. The proposed development is required to make a contribution to affordable housing and the applicant is cognizant of this. Consistent with the previous approval the applicant will be providing a viability assessment to support their assertion that the development cannot meet the required 10% contribution and remain viable. To that end the applicant will seek to negotiate a contribution that allows the development to proceed.

9. Site Capacity Assessment.

9.1. This application seeks the resubmission of a previously approved scheme to form two dwellings. As the circumstances surrounding this approval have not substantially changed it is

expected that the LPA will be consistent with their decision making. That being said, the arguments for development are set out below.

Scale

9.2. The scale of development does not differ from that within the street. The proposed development seeks a two-storey built form to mimic the adjoining two-storey buildings.

Layout

9.3. The site has been laid out to comply with the pattern of built form within the street. The proposed houses are set behind a modest front forecourt and have a traditional front-to-back arrangement.

Amount

9.4. The amount of development has been carefully considered in relation to plot size, layout and position within the street. Having regard to these matters the proposed scheme of two houses is considered an appropriate amount and would result in the net increase of one house on the site.

9.5. The proposed houses otherwise comply with the March 2015 Technical housing standards – nationally described space standard.

9.6. The proposed amenity space provision for both new houses is considered appropriate having regard to the urban grain and plot form found within Ardler Road.

9.7. Having regard to development already alongside it is submitted that this proposed scheme otherwise addresses the requirements of the Core Strategy and the NPPF.

Landscape

9.6. The proposal seeks an appropriate landscape setting including front and rear gardens to position the properties in space. The landscape setting of development on this site is considered acceptable.

Amenity of adjoining, surrounding and proposed occupiers.

9.7. Having regard to the previous planning decision and the existing setting and situation of the present house office building in relation to adjoining dwellings it is considered that the proposed development would have little to no effect on the amenity of adjoining homes in relation to loss of light, outlook, privacy and a perceived sense of enclosure.

10. Appearance

10.1. The appearance of development mimics the appearance of the adjoining terraced houses in built form, architectural detailing, fenestration and materials. As such is considered an appropriate response to the site and its surroundings.

11. Access Appraisal

11.1. Ardler Road is a one-way street (north to south) with unrestricted on-street car parking available on both sides of the street.

11.2. The existing bungalow has a sub-standard garage. This is not considered to provide a dedicated car parking space. The forecourt of the bungalow is insufficient in terms of depth to provide a car parking space. As such the parking needs of this house are accommodated within the street.

11.3. The proposed dwellings are set behind forecourts which are now sufficient in terms of depth to provide car parking at a ration of one space per dwelling. This approach has been taken in order to provide parking in line with the Council's policy and following the comments of the Inspector.

11.4. Given this it is submitted that the proposed parking spaces required to service this development can be accommodated within the street without substantive impact to the safety and convenience of the Highway Network.

12. Conclusion

12.1. Within the planning balance the proposed development offers an opportunity to provide further dwellings for the area in a manner which would have a positive effect on the character and appearance of the streetscene, impact on the amenity of adjoining and surrounding occupiers and would have wider public benefits from bringing new sustainable forms of development to Reading.

12.2. As such it is submitted that planning permission could be granted for this development and the applicant looks forward to discussing the matter with the LPA.

