

DELEGATED APPLICATION REPORT

Ward: Battle

App Ref: 220582/FUL

Address: Site rear of 19 and 21 Western Elms Avenue, Reading, RG30 2AL

Proposals: Construction of three town houses

Case Officer: Mr David Brett

Applicant: Infill Land Consultants Ltd

Date received: 19/04/2022

Valid from: 18/05/2022

Target Decision date: 22/07/2022, extension of time agreed on decision from 13/07/2022

1. INTRODUCTION

The proposal site is located to the rear of 19 and 21 Western Elms Avenue, adjacent to the properties along Ivanhoe Close. The surrounding area is considered largely residential with a mix of two to three storey semi-detached and detached dwellings.

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, with the east section of the proposal site located within the Green Network.



Fig 1. Land to the rear of 19 and 21 Western Elms Avenue as viewed from Ivanhoe Close. Site photo taken on 09/06/2022.



Fig 2. Land to the rear of 19 and 21 Western Elms Avenue as viewed from Western Elms Avenue. Site photo taken on 09/06/2022.

A site visit was undertaken by the case officer on 09/06/2022.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposed development seeks the erection of three adjoining 3 storey dwellings, south from Ivanhoe Close, within the rear gardens of 19 and 21 Western Elms Avenue. Access and on-site vehicle parking is also proposed.

Plans considered:

- Location Plans - 1314/1/a
- Block Plan - 1314/2/b
- 1:100 Plots 1-3: Plans & Elevations - 1314/3/b

- 1:100 Proposed Site Plan - 1314/5/a
- Design and Access Statement - 1314

Received on 19/04/2022

~~Supplementary Statement~~

- 1:100 Section and Street Elevations - 1314/6

Received on 18/05/2022

- Supplementary Statement

Received on 23/05/2022

3. RELEVANT PLANNING HISTORY

Not at the application site but considered relevant to this site.

11 Western Elms Avenue, Reading, RG30 2AL

101418/FUL - Demolition of existing house and garage. Formation of new access and erection of 1 replacement house and 5 new houses - Application Refused on 17/09/2010. Allowed at appeal on 04/05/2011. Reasons for refusal:

1. The proposal would detract from the positive contribution No. 15 Western Elms Avenue and its garden make to the streetscene, and result in a development out of character with the more spacious nature of the surrounding residential area, failing to take the opportunities for improving the character and quality of the area, contrary to PPS1, PPS3 and PPS5, Saved Policies HSG5, HSG9 and CUD14 of the adopted Reading Borough Local Plan (1998), and Policies CS7 and CS15 of the Reading Borough LDF Core Strategy (2008).
2. In absence of a completed legal agreement to secure contributions towards transport (Reading Urban Area Package), local recreation/leisure and education infrastructure improvements the proposal fails to deal with its direct impact and is contrary to Saved Policy TRN11b (Development and Traffic) of the Reading Borough Local Plan (1998), Policy CS9 (Infrastructure, Services, Resources and Amenities) of the Reading LDF Core Strategy (2008) and 'Planning Obligations under Section 106 of the Town and Country Planning Act 1990' (Supplementary Planning Guidance).

4. CONSULTATIONS

4.1 The following addresses were consulted by letter.

7 Western Elms Avenue, Reading, RG30 2AL - No response received.
 9 Western Elms Avenue, Reading, RG30 2AL - No response received.
 15 Western Elms Avenue, Reading, RG30 2AL - No response received.
 Flat 1, 19 Western Elms Avenue, Reading, RG30 2AL - No response received.
 Flat 2, 19 Western Elms Avenue, Reading, RG30 2AL - No response received.
 Flat 3, 19 Western Elms Avenue, Reading, RG30 2AL - No response received.
 Flat 4, 19 Western Elms Avenue, Reading, RG30 2AL - No response received.
 Flat 5, 19 Western Elms Avenue, Reading, RG30 2AL - No response received.
 Flat 1, 21 Western Elms Avenue, Reading, RG30 2AL - No response received.
 Flat 2, 21 Western Elms Avenue, Reading, RG30 2AL - No response received.
 Flat 3, 21 Western Elms Avenue, Reading, RG30 2AL - No response received.
 Flat 4, 21 Western Elms Avenue, Reading, RG30 2AL - No response received.
 23 Western Elms Avenue, Reading, RG30 2AL - No response received.
 25 Western Elms Avenue, Reading, RG30 2AL - No response received.
 25A Western Elms Avenue, Reading, RG30 2AL - No response received.
 25B Western Elms Avenue, Reading, RG30 2AL - No response received.
 25C Western Elms Avenue, Reading, RG30 2AL - No response received.
 1 Wood Green Close, Reading, RG30 2AW - No response received.
 3 Wood Green Close, Reading, RG30 2AW - No response received.
 5 Wood Green Close, Reading, RG30 2AW - No response received.
 7 Wood Green Close, Reading, RG30 2AW - No response received.

- 1 Ivanhoe Close, Reading, RG30 2GS - No response received.
- 2 Ivanhoe Close, Reading, RG30 2GS - No response received.
- 3 Ivanhoe Close, Reading, RG30 2GS - No response received.
- 4 Ivanhoe Close, Reading, RG30 2GS - No response received.
- 5 Ivanhoe Close, Reading, RG30 2GS - No response received.

A site notice was erected on 24/05/2022 for a period of 21 days, expiring on 14/06/2022. The following response was received to the consultation.

Berks, Bucks & Oxon Wildlife Trust - Response received on 25/05/2022

- *The proposed development site supports a number of trees and appears to comprise a small woodland copse which connects to further woodland along the rail corridor to the east. The site therefore has the potential to support priority habitat and protected species and form part of an important green link, none of which have not been considered by the application.*
- *There is no supporting ecological assessment to identify the biodiversity value of the site or any mitigation measures that could be required to ensure legislation and both national and local policy is complied with. BBOWT therefore object to this application due to the detrimental impact it may cause to biodiversity.*

4.2 Internal consultees

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

Reading Borough Council, Environmental Protection - Response received on 23/05/2022.

- No objection.

Reading Borough Council, Transport - Response received on 08/06/2022

- In principle there are no Transport objections, however, details concerning electric vehicle charging points, cycle parking, and bin collection and storage are required.

Reading Borough Council, Natural Environment - Response received on 17/06/2022

- Application not supported in tree or landscape terms. Contrary to EN14 (and probably EN12) and aims of our adopted Tree Strategy.
- The site is within a low canopy cover ward, within the AQMA and backs onto the railway, which is a designated treed corridor in the adopted Tree Strategy and a designated Green Link (EN12). As such, there will be an expectation to provide a net gain in tree number on site (EN14 and Tree Strategy aims) and sufficient greening and buffer between the proposed houses and railway to respond to the site's location and designations.

Reading Borough Council, Ecology - Response received on 22/06/2022

- *The application site is an area of land that abuts the railway line in a predominantly urban part of Reading.*
- *The railway corridor and associated vegetation (which the site forms part of) is designated as a green link as per policy EN12.*
- *It appears to have been previously woodland/ trees. The site has been cleared this appears to be pre-emptive clearance (pre-emptive clearance is when a developer removes vegetation or habitats that they think will impede their development proposal by limiting the amount of space available for development).*
- *It is likely to have had substantial ecological value as there are few trees in this part of the borough and it would have been a valuable part of the green network.*
- *The proposals will result in the loss of biodiversity units as measured using the DEFRA 3 metric.*
- *The fact that the site has been cleared does not alter this as National Planning Policy Guidance and the user guide for the DEFRA 3 states that the baseline needs to be the undegraded site prior to clearance.*
- *Development of this site is would therefore not comply with Policy EN12 which reads:*

- *“The identified Green Network, the key elements of which are shown on the Proposals Map, shall be maintained, protected, consolidated, extended and enhanced. Permission will not be granted for development that negatively affects the sites with identified interest or fragments the overall network”*
- *If the developer were to conclude that these losses could be offset (at an alternative site), unless there were “exceptional circumstances where the need for development clearly outweighs the need to protect the value of the site “ (as required by EN12) - which there are unlikely to be as there are alternative sites for housing - then the proposals would still not comply with the mitigation hierarchy as set out in policy EN12.*

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

EN1 Protection and Enhancement of the Historic Environment

EN5 Protection of Significant Views With Heritage Interest

EN12 Biodiversity and the Green Network

EN14 Trees, Hedges and Woodland

EN15 Air Quality

TR1 Achieving the Transport Strategy

TR3 Access, Traffic and Highway-Related Matters

TR5 Car and Cycle Parking and Electric Vehicle Charging

SPG/SPD

Affordable Housing SPD (March 2021)

Design Guide to House Extensions SPD (Adopted March 2021)

Revised Parking Standards and Design SPD (October 2011)

Planning Obligations under Section 106 SPD (April 2015)

Sustainable Design and Construction SPD (December 2019)

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 7.5 Private and Communal Outdoor Space.

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

To be discussed further in this report under section 7.7 Transport.

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

The proposal would not lead to tandem development as the proposed dwelling is located to the side of the existing dwelling, has a frontage, and will utilise the existing spur road for access.

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 7.4 Safeguarding Amenity.

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

The proposal seeks the addition of a four bedroom family dwelling to the site and the retention of three 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 7.6 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
- Landscape
- 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 proposed development seeks to replicate the design of the existing dwellings along Ivanhoe Close. Three four-bed dwellings are proposed at three storeys. In terms of the development's interaction with the built environment, the scheme is considered to integrate well with existing architectural detailing of buildings along Ivanhoe Close, as well as the scale and massing of nearby dwellings.

The development is set back from the building line of 1 to 5 Ivanhoe Close, this provides small gardens to the front as well as the potential for landscaping. It is stated that the 4m the set back is to limit the amount of overlooking to the rear gardens and rear elevations of 19 and 21 Western Elms Avenue. This results in a front to back distance of at least 40m. This is considered to create somewhat of an odd relationship between the proposed development and 1 to 5 Ivanhoe Close, however, this aspect is not considered harmful to the point of refusal.

The overall layout of the development does for the most part follow the pattern of development along Ivanhoe Close and is generally considered acceptable. It is unclear, however, as to why a 112m² portion of the proposal site appears to not be earmarked for development but still removed from the rear garden of number 21. Nevertheless, it is not considered appropriate to speculate why this parcel of land been left. Particularly as it is considered that numbers 19 and 21 Western Elms Avenue would still benefit from sufficient private amenity space as a result of the development, which is comparable to the size of other gardens within the area, such as numbers 13 and 15.

Overall, the proposed dwellings are not considered to harm the character and appearance of the surrounding area. In accordance with Policies CC7 and H11 of the Reading Borough Local Plan, the new dwelling is considered to respond positively to the local context, in particular 1 to 5 Ivanhoe Close. Where the development falls short, however, is the provision of landscaping. No details have been submitted with regards to landscaping of the site, which is a particular concern given the ecological value of the site both now and prior to the clearing of the existing trees at the site. In this regard, the policy falls short of the requirements of Policy CC7 of the Reading Borough Local Plan. The inadequate provision of soft landscaping will be discussed further in section 7.5 of this report.

7.3 Standards for New Housing

As this application seeks three new dwellings, 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 and details of this in the form of design and construction stage SAP reviews can be secured by way of conditions.

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 space of each of the proposed new dwellings is 142m², which is above the minimum space requirement of 121m² for a four bed, seven-person, three storey dwelling. The replacement dwelling will also provide more than adequate built-in storage of greater than 3m². Therefore, the proposed development is considered in accordance with policy H5 of the Reading Borough Local Plan.

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 and details of this in the form of design and construction stage SAP reviews can be secured by way of conditions.

7.4 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*

The plans demonstrate that despite the setback of the development by 4m from the building line along Ivanhoe Close, there would be no harmful loss of light to habitable rooms, particularly at number 5 which is closest to the development. A plan has been provided that demonstrates that the development would not infringe a 45° angle of light when measured from the closest window serving a habitable room at 5 Ivanhoe Close.

Overall, the proposed replacement dwelling is not considered to harm the living conditions to neighbouring properties or the surrounding area. Therefore, the proposed development is considered in accordance with Policy CC8 of the Reading Borough Local Plan. Had approval been recommended for the application; it is considered necessary to condition the approval of this application to ensure that harm is not caused to neighbouring properties through alterations that can be achieved under permitted development under Classes A, B, and E of the GPDO. This is due to the constrained nature of the site and as unrestricted development could harm the amenities of neighbouring properties through overlooking or being overbearing and harm the appearance of the main house and the area in general and should therefore be controlled in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019. This also includes restricting the insertion of first floor side facing windows under permitted development to protect the privacy of neighbours in accordance with policy CC8.

7.5 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 dwellings at 19 and 21 Western Elms Avenue 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).”

The private amenity space provided to the proposed development ranges from 64m² to 80m². As a result, the proposed rear garden space is very much on the small side when compared with the gross internal floorspace provided to each dwelling, which is approximately 144m². The limited private garden space to the rear when compared with existing dwellings 1 to 5 Ivanhoe Close is considered due to 4m setback of the proposed dwellings from the existing building line along Ivanhoe Close. The poor quality of the private amenity space is further exacerbated by the presence of the tall mature trees to the rear boundary of the proposal site, which would limit the amount of natural light to the rear garden. It is also anticipated that there would be a pressure to prune the trees within the adjacent railway land from future occupants of the development to alleviate the lack of natural light to the rear gardens. In this regard, the development is not considered in accordance with Policy EN14 of the Reading Borough Local Plan.

Given the size and quality of the rear gardens proposed and the significant amount of floorspace proposed to each dwelling it is therefore considered that the private amenity space is not adequate for a three-storey, four-bed, seven-person dwelling. The proposed development is therefore not considered in accordance with Policy 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.

7.6 Trees, Landscaping and Ecology

As per the PPG (Paragraph: 026 Reference ID: 8-026-20190721, Revision date: 21 07 2019):

What is the baseline for assessing biodiversity net gain?

The existing biodiversity value of a development site will need to be assessed at the point that planning permission is applied for. It may also be relevant to consider whether any deliberate harm to this biodiversity value has taken place in the recent past, and if so whether there are grounds for this to be discounted in assessing the underlying value of the site (and so whether a proposal would achieve a genuine gain).

There are laws to protect important sites and species from harm, for which Natural England have enforcement powers. In addition, the felling of trees requires a Forestry Commission licence in most cases before felling can commence. There may be a penalty or requirement to restock if felling occurs without this. There are some exemptions relating to the location, volume and diameter of a tree, and an exemption for felling which is immediately required for the purpose of development authorised by a planning permission.

Part of the proposal site is located within The Green Network, which is protected under Policy EN12 of the Reading Borough Local Plan. It appears from the site visit that the site had been cleared to pre-empt development of the proposal site, this is evident in figures 1, 3 and 4. The proposals have been assessed by the Council's Ecologist and it is considered that the trees likely had substantial ecological value as there are few trees in this part of the borough and it would be a valuable part of the Green Network. This is taking into account that the baseline in any ecological assessment of the site would have been based on the site prior to its clearing.

The Council's Ecologist has concluded that; "If the developer were to conclude that these losses could be offset, unless there were "exceptional circumstances where the need for development clearly outweighs the need to protect the value of the site " (as required by EN12) - which there are unlikely to be as there are alternative sites for housing - then the proposals would still not comply with the mitigation hierarchy as set out in policy EN12".



Fig 3. Image captured of the proposal site in July 2019. Image retrieved from Google Maps on 21/07/2022. Approximation of the proposal site outlined in red.



Fig 4. Aerial image of the proposal site. Image retrieved from Google Maps on 21/07/2022.
Approximation of the proposal site outlined in red.

Policy EN12 of the Reading Borough Local Plan states that “in exceptional circumstances where the need for the development clearly outweighs the need to protect the value of the site and it has demonstrated that the impacts cannot be: 1) avoided; 2) mitigated or; 3) compensated for on-site; then new development will provide off-site compensation to ensure that there is “no net loss” of biodiversity”.

There has been a failure to demonstrate that the development would not have a detrimental impact on the ecological value of the site. No ecological assessment of the site has been carried out in order to determine the impact of the development and identify the contributions required in order to achieve biodiversity net gain at the site. The development is therefore contrary to Policy EN12 of the Reading Borough Local Plan. There has been a failure to justify the need for the development against the harm caused to the ecology of the site, in particular given that the east section of the proposal site is located within the Green Network.

The development is therefore not in accordance with Policies EN12 of the Reading Borough Local Plan. Further to this, the development is also not in accordance with criteria 8 of Policy H11 (as highlighted in section 7.1 of this report) of the Reading Borough Local Plan. The development is also not considered in accordance with paragraphs 179, 180 and 182 of the NPPF (2021).

As per Policy EN14 of the Reading Borough Local Plan; “New development shall make provision for tree retention and planting within the application site, particularly on the street frontage, or off-site in appropriate situations, to improve the level of tree coverage within the Borough, to maintain and enhance the character and appearance of the area in which a site is located, to provide for biodiversity and to contribute to measures to reduce carbon and adapt to climate change. Measures must be in place to ensure that these trees are adequately maintained”.

The development fails to provide sufficient levels and details of landscaping, including tree planting at the site. Given the relatively recent felling of trees within the site, the lack of proposed tree planting and landscaping is not considered acceptable by officers. The

development is therefore not considered in accordance with Policies EN14 and CC7 of the Reading Borough Local Plan.

7.7 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, however, additional information was required in order to be policy compliant. For instance, electric vehicle charging points had not been demonstrated along the plans, along with secure cycle storage for each dwelling, as well as bin storage and collection points.

Whilst this information is still outstanding at the time of issuing a decision for this application, it is not considered appropriate to formulate a reason for a refusal to the application regarding these items as they could have been secured via condition to any approval of the application.

7.8 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.

7.9 CIL

The proposal includes the addition of more than 100sqm of new floor space and so would be CIL liable.

	Townhouse 1 (m ²)	Townhouse 2 (m ²)	Townhouse 3 (m ²)
Proposed dwelling			
Ground Floor	48	48	48
First Floor	49	49	49
Second Floor	45	45	45
Total	142	142	142

Accordingly, on the basis of the 426m² proposed floorspace the liability (based on a 2022 CIL rate of £156.24 per sqm) would total £66,558.24.

The standard informative is recommended to be included on the decision notice to advise the applicant of this separate process and requirement.

8. CONCLUSION

Overall, whilst the appearance of the of the town houses is largely considered acceptable and characteristic of Ivanhoe Close, there has been a failure to demonstrate that the development would enhance the ecological value of the site. There has also been a failure to private adequate private amenity space for three four-bedroom family dwellings. Therefore, the development is not considered in accordance with Policies H10 H11, EN12, EN14 of the Reading Borough Local Plan.

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 development has failed to demonstrate that there would not be a detrimental impact on biodiversity, including protected species, both on site and within the wider green network (including the adjacent railway corridor). The proposals are therefore contrary to Policies H11, EN12 and EN14 of the Reading Borough Local Plan (2019) and NPPF (2021) paragraphs 179, 180 and 182.
2. The development has failed to demonstrate a net gain for biodiversity within the site as measured using the DEFRA 3.1 Biodiversity Metric. Furthermore, in the absence of evidence to the contrary, because the proposals are likely to result in a net loss of a 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 proposals are therefore contrary to Policies EN12 and H11 of the Reading Borough Local Plan (2019) and NPPF (2021) paragraphs 179, 180 and 182.
3. The development fails to demonstrate no harm to important trees within the adjacent Railway land and is likely to result in pressure to prune said trees to alleviate nuisance concerns of future occupiers. In addition, the application fails to demonstrate that adequate landscaping, include tree planting, will be provided. The proposals are therefore contrary to Policies EN14, CC7 and H11 of the Reading Borough Local Plan (2019) and aims of RBC Adopted Tree Strategy (2021).
4. The development fails to provide adequate and functional private amenity space to each of the three four-bedroom family dwellings. This is due to the size of private amenity space allocated to each proposal dwelling and the overshadowing impact of the trees to the east of the site. The proposals are therefore contrary to Policies H10 and H11 of the Reading Borough Local Plan (2019).
5. 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

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.

C00: Plans Considered

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

Plans considered:

- Location Plans - 1314/1/a

- Block Plan - 1314/2/b
- 1:100 Plots 1-3: Plans & Elevations - 1314/3/b
- 1:100 Proposed Site Plan - 1314/5/a
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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