

DELEGATED FULL APPLICATION REPORT

Ward: Peppard

App Ref: 200651/FUL

Address: 29 Kidmore End Road

Proposals: Erection of two-storey 4 bedroom dwelling on land to the rear of 29 Kidmore End Road, parking and associated works.

Case Officer: Mr James Overall

Date received (valid from): 6/10/20

Target Decision Date: 1/12/20

PROPOSAL AND SUPPORTING INFORMATION

The proposal is to erect a two-storey dwelling to the rear of 29 Kidmore End Road and would be accessed via Brooklyn Drive.

Plan Type	Description	Drawing Number	Date Received
Location Plan	Existing	601-02-00	12 May-20
Block Plan	Existing	601-02-01	12 May-20
Block Plan	Proposed	601-02-02 Rev B	1 Sept-20
Floor Plans	Proposed	601-03-00	12 May-20
Elevations	Proposed	601-05-00	12 May-20
Sectional Plans	Proposed	601-04-00	12 May-20

PLANNING HISTORY

880136 - Erection of dwelling house - Refused 03/02/1989

060401 - Proposed dwelling on land to the rear of 29 Kidmore End Road - Refused 30/10/06 and appeal dismissed on 15/05/07

CONSULTATIONS

The following addresses were consulted by letter.

- 1 Brooklyn Drive
- 2 Brooklyn Drive
- 3 Brooklyn Drive
- 27 Kidmore End Road
- 31 Kidmore End Road

26 letters of objection were received from various properties within the local vicinity.

The main points of objection are:

- Poor display of the site notice
- Noise concerns
- Overlooking concerns
- Overshadowing concerns

- Overdevelopment of the plot
- Ecological concerns
- Structural concerns should trees be removed
- Structural concerns with the removal of the existing garage
- The plans are not to scale
- Forward of the building line
- The access is insufficient for construction vehicles
- The kerb would require dropping and the driveway would need widening, and this is not shown on the plans
- The proposal does not have a garage, and this is likely to be erected later
- The 'greenhouse' detail is actually a large freestanding conservatory/guest facility
- The contemporary design will not fit in with the 1930s design of the other properties in the area
- The submitted design and access statement is misleading
- The scheme has been refused many times in the past, and this should be no different as the concerns have not been overcome

Transport

The site is located within Zone 3, Secondary Core Area, of the Council's adopted Parking Standards and Design SPD. Typically, these areas are within 400m of a Reading Buses high frequency 'Premier Route', which provides high quality bus routes to and from Reading town centre and other local centre facilities. In accordance with the adopted SPD, the development would be required to provide a parking provision of 2 spaces for 4-bedroom dwelling. The submitted proposed block plan 601-02-02 identifies No2 off road parking spaces on an area of permeable hard-standing, which complies with the council's current standards and is therefore deemed acceptable. It should be noted that parking for the existing dwelling must be retained, plans do not illustrate this however it would appear parking for No29 is provided at the front of the property, however this will need to be illustrated on plans including the access arrangements.

The proposed dwelling will be accessed from Brooklyn Drive via an existing dropped kerb which provides access to parking at the rear of 29 Kidmore End Road, clarification is required if this access is to be widened. If any changes are proposed to the access, a licence must be obtained from the Council's Highways section before any works are carried-out on any footway, carriageway, verge, or other land forming part of the public highway to agree the access construction details. Google images show a tree near the Brooklyn Drive access, therefore the Environmental Officer should be consulted to ascertain potential damage to the tree or tree roots.

The Council's Local Transport Plan 3 Strategy 2011 - 2026 includes policies for investing in new infrastructure to improve connections throughout and beyond Reading which include a network of publicly available Electric Vehicle (EV) charging points to encourage and enable low carbon or low energy travel choices for private and public transport. The Council's Local Plan was adopted in November 2019 and this includes a requirement at Policy TR5 for each new house to be provided with an electric charging point. Proposed Block Plan identifies an EV charging station, this is therefore deemed acceptable.

Bin storage should not be more than 15m from the access point of the site to avoid the stationing of service vehicles on the carriageway for excessive periods and should comply with Manual for Streets and British Standard 5906: 2005 for Waste Management in Buildings. Bin storage area has illustrated at the side of the house; however it is assumed that the bins

will be brought to the boundary for roadside collection as per existing arrangements for other residents on Brooklyn Drive. This is therefore deemed acceptable.

No2 Cycle storage spaces have been illustrated on Proposed Block Plan 601-02-02 B within the rear garden area, given the nature of the development this would be deemed acceptable.

Given the development is serviced off a minor road and serve a single dwelling with sufficient off-street parking spaces as illustrated in the proposed block plan, it is considered that the intensification is not significant to cause a harm to highway users or increase the on street parking needs in the area.

In principal there are no Transport objections to this application however clarification is required with regards to the potential of alterations to the Brooklyn Drive access and parking layout for the existing dwelling.

Ecology

The application site comprises the rear garden of a detached property. From aerial photos the garden appears to be mature and well maintained. It could host a badger sett in the denser vegetation or bat roosts in any trees that are to be removed.

There is a therefore risk that the proposals may affect protected species and an ecological assessment (comprising an extended Phase 1 Habitat and Species Scoping Survey, and any phase 2 surveys) will need to be submitted prior to the determination of the application.

Survey requirements

Surveys should be carried out by suitably experienced ecologists who are a member of a professional organisation such as the Chartered Institute of Ecology and Environmental Management and / or are licensed or accredited by Natural England to survey protected species.

Extended phase 1 habitat & protected species scoping survey

An Extended Phase 1 Habitat Survey is a standardised technique for environmental audit and involves classifying and if required mapping habitats on and adjacent to the application site. The survey is then 'extended' and any features or habitats that are likely to be of importance for notable or protected species, and or prove to be a constraint to development are investigated further and described.

Phase 2 ecology surveys

If the surveys show that the site contains habitats suitable for protected species further surveys for species such as bats may need to be carried out.

Planning policy

Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System (this document has not been revoked by the National Planning Policy Framework) states that: Planning

"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted."

In this case, since the extent to which protected species will be affected by the proposals has not been established, and there appear to be no “exceptional circumstances”, the application would not be in accordance with the above planning policy.

Summary

The proposals could affect protected species. As such, an ecological assessment will need to be submitted prior to the determination of the application.

Natural Environment

There are a number of small trees on site, mainly coniferous specimens, perhaps lapsed hedging, planted for screening and trees of a species which would not usually be allowed to grow to maturity in residential gardens due to their potential size. I do not therefore have any objections to the removal of these trees as proposed.

Careful consideration should be given to the retention of trees on site so that only those which can realistically be retained in the long term will be retained. Those which potentially are unsuited to the location of a smaller residential garden should be replaced with another of a suitable size and species. Boundary treatment should include hedging and access holes in fencing for mammals such as hedgehogs to forage within the site. The final AMS will detail the steps to be taken to protect the retained trees on and adjacent to the site including the adjacent trees where appropriate.

Please attach conditions L2 and L7 if planning permission is granted.

Thames Water

We won't be pursuing a build over agreement for 200651 rear of 29 Kidmore End Road, Emmer Green Reading RG4 8SN. Although the area itself has no mapped sewers, it is not likely the build will be within 3m of a public sewer.

Several properties nearby are clearly marked as private.

If this is incorrect and the site owner finds there is a public sewer within three metres of their building work, or a lateral drain within one metre, they must make sure they comply with our specifications. These can be found at

<https://www.thameswater.co.uk/help/home-improvements/building-near-pipes>

They must also contact us so that we can update our records and ask them to enter into a build over agreement.

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.

Relevant Planning Policy and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with policies in 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'

Reading Borough Local Plan (November 2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
CC2: SUSTAINABLE DESIGN AND CONSTRUCTION
CC5: WASTE MINIMISATION AND STORAGE
CC6: ACCESSIBILITY AND THE INTENSITY OF DEVELOPMENT
CC7: DESIGN AND THE PUBLIC REALM
CC8: SAFEGUARDING AMENITY
EN12: BIODIVERSITY AND THE GREEN NETWORK
EN14: TREES, HEDGES AND WOODLAND
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
H11: DEVELOPMENT OF PRIVATE RESIDENTIAL GARDENS
TR1: ACHIEVING THE TRANSPORT STRATEGY
TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS

SPG/SPD

Revised Sustainable Design and Construction (2019)
Residential Conversions (2013)
Affordable Housing 2020

Assessment

Principle of development

Policy H11 sets out the criteria required for whether a residential garden can be developed. This is broken down into the following parts:

- Does the proposal make a positive contribution to the character of the area?
- Does the application site provide a site of adequate size and dimensions to accommodate the development?
- Does the proposal include access, which meets appropriate highway standards?
- The proposal should not lead to tandem development.
- Does the design and layout minimise exposure of existing private boundaries to public areas, and avoid the need for additional physical security measures?
- Does the proposal cause a significant detrimental impact to the amenity of adjacent and nearby occupants?
- Is emphasis on the provision of family-sized housing?
- Does the development provide biodiversity net gain wherever possible, and would not have an adverse impact on biodiversity in terms of the fragmentation of blocks of gardens?
- The proposal should not prejudice the satisfactory development of a wider area.

The principle of development will be assessed within the bulk of this report, but these nine points are the focus for assessing the principle of development.

Character and appearance

The area is characterised by low density, residential development with houses set back from the road and having relatively large rear gardens and 29 Kidmore End Road occupies a larger than average plot. The proposal would make more efficient use of this plot, but the proposed dwelling would have a significantly smaller rear garden, than is generally found within the area.

Houses along Brooklyn Drive, immediately to the west of the application site, including the adjoining house at no.2, are set along a well-established building line. They also have attached, single storey garages beneath part flat, part sloping roofs and this design lends a relatively spacious quality to their layout.

By contrast, the forward-most elevation of the proposed dwelling would be sited about 3.77 metres in front of this building line. Additionally, the proposed dwelling, whilst utilising a sloping roof, it does host a large dormer, which would dominate this roof slope and detrimentally impact on the appearance and character of the surrounding area.

Given the above, it is considered that the proposal does not reflect the pattern and layout of housing in the area and would harm the character and appearance of the street scene, contrary to Policy CC7 of the Local Plan (2019).

Residential amenity

The proposed rear garden would be relatively shallow (8.4 metres), north-facing and sited between the proposed house and the trees along the rear boundary. It would therefore, be largely overshadowed, with a relatively dark and sunless aspect.

The north-facing kitchen/dining room and bedroom 3 look onto the trees along the rear boundary and would receive restricted amounts of natural daylight. As a consequence, these habitable rooms would also have a relatively dark and sunless aspect and it is therefore considered that they would provide an unacceptable standard of living accommodation for future occupants of a large family dwelling.

As such it is considered that the proposal would result in an inadequate standard of residential accommodation, contrary to Policy CC8 of the Local Plan (2019).

As for the amenity of neighbouring properties; the greatest impact is thought to be on that of No.31 Kidmore End Road. The rear garden to no.31 adjoins the rear boundary of the application site, which is screened by trees. Whilst these trees would prevent overlooking, they already cause a significant amount of overshadowing to the garden of no.31, which would intensify as a result of this proposal, to an extent that would harm living conditions at no.31.

If these trees were to be reduced in height, as suggested by the Natural Environment Officer, as a way of overcoming the overshadowing concerns, this would create new concerns, as the proposed dwellinghouse would then appear as a dominant and overbearing building when viewed from no.31's rear garden. In addition to this, the first-floor rear facing windows, of which only one would be obscure glazed; would create direct overlooking of the neighbouring garden.

Furthermore, the bedroom window facing towards No.29 Kidmore End Road, would invade the private amenity space of this dwelling through overlooking.

As such it is considered that the proposal would result in detrimental harm to the amenity of neighbouring properties, and therefore is contrary to Policy CC8 of the Local Plan (2019).

Transport

The full comments relating to transport can be found above in the consultations section of the report, but in summary clarification is required with regards to the potential of alterations to the Brooklyn Drive access and parking layout for the existing dwelling (29 Kidmore End Road). Given the lack of clarification regarding this matter, it is considered that this could be handled via a condition if the application were to be granted. As such, it would be unfair to use this as an additional reason for refusal.

Ecology

The full comments relating to ecology can be found above in the consultations section of the report, but in summary the proposal could affect protected species. As such, an ecological assessment is required prior to the determination of the application. Given the lack of an ecological survey, this will make up an additional reason for refusal, as it would not be possible to handle this via a condition.

Other matters

The proposal would be required to make a contribution towards affordable housing within the borough. The submitted Affordable Housing Statement states that the developer is willing to enter into a Section 106 Legal Agreement, to pay a pre-arranged sum for the “additional 2 dwellings, in line with the current affordable housing policy”.

Whilst it is noted that the application is for the erection of a single dwelling, and not two as stated within this statement, it is recognised that making an affordable housing contribution would not be an issue if this application were to be approved. However, no agreement has been reached so the application fails to comply with Policy H3 of the Local Plan (2019).

The applicant has duly completed the CIL liability form and it is confirmed that the proposal is CIL liable. Had permission been granted a condition would have been applied to secure energy performance of the new dwelling in accordance with Local Plan policy CC2.

Conclusion

The proposed scheme is considered to have a detrimental impact upon the character of the surrounding area, the street scene, pattern of development, the amenity of future occupants as well as the amenity of the neighbouring properties.

The proposed scheme, apart from the design of the house, is very similar to the scheme dismissed on appeal in 2007 and the issues raised are the same and the reasons for dismissal not overcome. The proposed development of the site is not considered to be acceptable in principle and for the reasons set out above the application should be refused for failing to comply with the Policies set out within the Local Plan (2019).

RECOMMENDATION:

Refuse Planning Permission.