

DELEGATED REPORT

Application No. 210521/FUL

Site Address: Land adjacent to 16 St Barnabas Road

Proposal: Erection of a 2 bedroom bungalow (C3 use)

Applicant: Mr Ivan Dorosh

Target Date: 02/08/21

Case Officer: Connie Davis

Site Description and Surrounding Area

The application site is located on the north side of Barnabas Road which is characterised by frontage development comprising well-spaced and large detached dwellings, set back to a common building line, within generous plots of land framed with a significant amount of well-established vegetation and mature trees. This provides the residential area with a leafy and spacious suburban character. The dwelling proposed would be located to the north-west of 16 Barnabas Road where a section of side garden has been cleared of vegetation to provide a plot of land with a frontage onto the road.

The proposed development site, adjacent to 16 St Barnabas Road, Emmer Green, lies in an area of high archaeological potential. The Middle Thames Valley is well known for the density, frequency and quality of prehistoric, Roman and Saxon remains. Close to this property the Berkshire Archaeology Historic Environment Record records Late Iron Age and Roman settlement sites discovered at 7 Highdown Hill Road, at Grove House, and at Emmer Green Children's Centre.

The site is not Listed, nor located within a Conservation Area.

Proposal

The proposal comprises of the erection of a 2 bedroom chalet bungalow. The bungalow would have its primary space on the ground floor with storage and a play area in the roof space. The dwelling would have a width of 8.5m, maximum depth of 19.5m, maximum height of 5.3m.

The property will be finished in brick and slate but specifics have not been provided at this stage.

It is worth noting that Planning Permission was sought for a 5 bedroom detached dwelling on the site in 2014. The application was refused with reasoning detailed later in this report.

Documents Submitted

Drawing no.

SUPPLEMENTARY STATEMENTS V1.0

Received 7th June 2021

Location Plan

16B-NW - North West View

16B-SE - South East View

16B-F - Front View
16B-R - Rear View
16B-P - Plan View
16B-PLOT2 - View on Plot 2 Bush View
16B-IGF - Internal Ground Floor
16B-IFF - Internal First Floor

Received 4th May 2021

Proposed Block Plan

Received 5th May 2021

S814/0509/P/0001 - Topographical Survey
Application Form

Received 6th April 2021

It is noted that the plans have a do not scale disclaimer - all plans are required to be scaled for planning purposes and therefore the scale bar has been used. If the proposal were to be approved, this matter would have been rectified by removing the disclaimer.

Relevant planning history

131340 - Outline permission for 4 bed house - Refused 19/02/14.

141153 - 5-bed detached house - Refused 20/10/14 Dismissed at appeal (Ref APP/E0345/W/15/3018550) 04/11/15. The application was refused for the following reasons:

- Size of the plot would be uncharacteristic relationship with existing built form and spaces. As such would not respond positively to the local character of the area
- Garden area not comparable to other properties in the vicinity
- To achieve adequate visibility splays, it would require the removal of vegetation along the front boundary that would be detrimental to the semi-rural character of the road.
- Impact on neighbouring amenity
- Lack of an Affordable Housing contribution

Consultations

Internal Consultees

Natural Environment - Insufficient information contained within the submission.
Conditional.

Ecology - Objection as no bat survey has been required

Transport - No objection in principle, but further information required to make a full determination

Archaeology - No objection subject to condition

Public Consultation

The following addresses were formally consulted via letter on 07/06/21:

16, 18 St Barnabas Road
10, 11 Gorselands

In addition, a site notice was sent for display on 07/06/21.

3 representations have been received relating to the following matters:

Proposal appears in scale with the site

Officer comment: Noted

Would like reassurance that the maximum height of the new build is measured in relation to the height of the surrounding buildings (at 16 and 18 St Barnabas Rd) rather than existing ground level of the plot

Officer comment: Heights of buildings will be taken, assessing all the information provided. The point is noted

Would like a condition placed on this application (if approved) that no further application will be considered to raise the overall height of the dwelling or to build a further dormer on the left hand side elevation.

Officer comment: This is discussed within the report

There should be sufficient parking on site so cars do not park on the highway

Officer comment: See Transport section of the report

The scheme is positive and brings the site back into a use

Officer comment: Noted

Discussions with applicant/ agent

The applicant was contacted to advise the proposal was not supportable for the following reasons:

- The size of the dwelling in relation to the plot not respecting those in the vicinity. There would also be insufficient gapping around the dwelling which is prominent in the vicinity. Large plots and gapping are considered to comprise the character of the area
- Concerns over design
- Matters raised by consultees

Due to the size of the plot relative to the proposed dwelling (resulting in no gapping around the dwelling, even though the scheme is for a bungalow, which is scaled down from previous proposals for houses), it was not considered that the development could not be amended to an approvable scheme. Officers consider this could be indicative that a scheme which respects and incorporates the features which are considered to create the 'character' of the area may not be possible.

The applicant was offered a period to withdraw the application in light of the above, however this was not acted upon and so the application has proceeded with a refusal.

Planning policies

National Planning Policy Framework (2021)

National Planning Policy Guidance

Reading Borough Council Local Plan (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

CC9: Securing Infrastructure

H1: Provision of Housing

H2: Density and Mix

H3: Affordable Housing

H5: Standards for New Housing

H10: Private and Communal Outdoor Space

H11: Development of Private Residential Gardens

TR3: Access, Traffic and Highway-Related Matters

TR5: Car and Cycle Parking and Electric Vehicle Charging

EN2: Areas of Archaeological Significance

EN12: Biodiversity and the Green Network

EN14: Trees, Hedges and Woodland

Supplementary Planning Guidance/Documents

Revised Parking Standards and Design (2011)

Revised Sustainable Design and Construction (2011)

Planning Obligations Under S106, April (2015)

Adopted Affordable Housing Supplementary Planning Document (2021)

Reading Borough Council Tree Strategy (2021)

Appraisal

The main issues to be considered are:

- a) Principle of Development
- b) Design and impact on character of the area

- c) Residential Amenity
- d) Amenity Space
- e) Impact on Neighbouring Amenity
- f) Transport Matters
- g) The Natural Environment and Ecological Matters
- h) Sustainability
- i) Affordable Housing, S106 and CIL obligations

a) Principle of Development

The [NPPF](#) states that LPAs should “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”. The NPPF definition of ‘previously developed land’ excludes private residential gardens in built up areas.

Therefore, it is clear that the priority for development should be on previously developed land, in particular vacant and derelict sites and buildings. However, that does not mean that the development of private residential garden land is unacceptable in principle, rather that previously developed land should be the first choice for housing development. Further detail on the Council’s Policy on Development of Private Residential Gardens is found in Policy H11 of the Reading Borough Local Plan (2019).

Policy H11 of the Reading Borough Local Plan (2019) ‘Development of Private Residential Gardens’ requires that new residential development that involves land within the curtilage of private residential gardens will be acceptable where:

- 1) It makes a positive contribution to the character of the area;
- 2) The site is of an adequate size to accommodate the development;
- 3) The proposal has a suitable access;
- 4) The proposal would not lead to an unacceptable tandem development;
- 5) The design minimises the exposure of existing private boundaries to public areas;
- 6) It does not cause detrimental impact on residential amenities;
- 7) The emphasis is on the provision of family housing;
- 8) There is no adverse impact on biodiversity, and
- 9) The proposal does not prejudice the development of a wider area.

Therefore, while the proposed site is not ‘previously developed land’, the principle of redevelopment is considered acceptable providing the criteria outlined in Policy H11.

With regard to the principle of the proposed use, from purely a land use perspective, it is considered that a proposal to introduce one residential unit would comply with the principles of Policy H1. This is by contributing to the housing needs within the borough. The principle of further residential units in a residential area is accepted.

However, as the remainder of this appraisal shall demonstrate, the proposals fail to meet a number of the Policy H11 criteria, along with other policy considerations.

b) Design and impact on the character of the area

Policy CC7 (Design and the Public Realm) states: All development must be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located.

Policy H11 (Development of Private Residential Gardens) states: 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 etc.

As noted by the Inspector under application 141153: *‘St Barnabas Road is generally characterised by frontage development comprising well-spaced and large detached dwellings (bungalows and two storey dwellings), set back to a common building line, within generous plots of land framed with a significant amount of well-established vegetation and mature trees. This provides the residential area with a leafy and spacious suburban character.’* Between the time of the appeal and this latest submission, the general composition of the area as described by the Inspector is still considered relevant and is apparent from the submitted plans (ie. block plan showing spacing between dwellings).

The plot of land where the new dwelling is proposed is both significantly narrower and shorter than the adjoining plots. It is narrower also in comparison with the plots of the houses to the north-west of 18 Barnabas Road. The dwelling proposed is of a square plan, which would occupy most of the width of the available plot. The design of the front elevation considered to take little account of the architectural detail evident on nearby houses but is set to the established building line.

The proposed dwelling would be smaller in scale than the two storey dwellings adjacent. Whilst this would be a somewhat visual anomaly, it is not considered to distract from the overall appearance of the street scene to a substantially harmful degree due to the presence of bungalows found elsewhere in the road. Whilst acknowledged that surrounding bungalows are immediately surrounded by other bungalows (but in this case the dwelling would be surrounded by two storey dwellings), Officers do not consider that the scale of dwellings, in this instance, is the primary defining feature of the road, rather it is the spacing and overall plot sizes relative to building sizes (rather than building sizes alone). As such, any new development would be expected to respect this spacing and overall plot size and provide a dwelling relative to the plot size.

The National Design Guide identifies 10 key components for good design and of particular note is the characteristic of ‘Context’ and it states that *“well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It should enhance positive qualities and improve negative ones.”* As mentioned, plots are spacious and of good size; new development should respect this surrounding context, as per the National Design Guidance.

In this proposal, the size of dwelling proposed, in relation to the width of the plot available, would result in a considerably tighter and more constrained form of development when compared to the much more comfortably spaced housing along this side of the road. The development therefore fails to meet criteria outlined in Policy H11 which states that plot size should be adequate for development; but in this case, the plot is not adequate to provide a development that would suitably integrate with the layout and spacing of the existing street scene. The amount of garden space associated with the proposed dwelling would also be significantly less than the surrounding houses, which would be further out of character with the pattern of development in this area. It is this spacious pattern of large detached properties, in heavily vegetated and generous gardens, that provides this area with its attractive, leafy suburban character. This proposal would be out of keeping with this and its relatively cramped appearance would detract significantly from the character along this side of the road.

In terms of the design of the proposed dwelling, drawings provided are somewhat basic in their detailing, and so should the proposal been acceptable, a condition requiring a further level of detail on the proposed materials would have been required. Limited architectural cues are considered to have been taken from surrounding properties, such as window detailing (adjacent neighbouring properties have bay windows). The front door of the property would also be on the side elevation, leading to a front elevation without focus and detailing around the two front windows, which from the elevational drawings, appear somewhat like garage doors. However, the proposed dwelling would have a hipped roof which is found within the roof form of neighbouring properties, so is considered to respond to the surroundings to an extent that respect alone (which alone is not considered to a close enough degree). The presence of the blank side dormer is also considered an unattractive and uninspiring incorporation, with side dormers not being prevalent in the vicinity. Within the neighbor representations, a respondent enquired as to whether the LPA could prevent a further side dormer on the opposite side elevation (facing their property). Dormers can be constructed via permitted development rights (ie without planning permission) subject to meeting criteria. This is unless Permitted Development rights are removed. Given the constrained nature of the site (ie. its size), it would have been considered reasonable to remove permitted development rights to this effect.

Overall, the proposed design of the property is not considered of particular high quality and fails to respond or incorporate features on properties in the vicinity. In addition, due to the plot's small size relative to the size of the dwelling, the bungalow would be unable to maintain gapping around the entire building, and with neighbours. As such, the proposal would fail to respect the spaciousness of plots found elsewhere on the road and therefore fail to integrate with the character of the surrounding area contrary to Policies CC7 and H11 of the Reading Borough Local Plan (2019).

c) Residential Amenity

The development would exceed the minimum space standards for a 2 bedroom dwelling (it would be in excess of 200 sqm) and would contribute to the provision of family housing in accordance with Policies H1 and H5 of the Reading Borough Local Plan. The property would be served by natural light, although noted that windows are of a smaller size than standard but are still considered sufficient.

As such, the proposal is considered acceptable in terms of Policies H1 and H5 of the Reading Borough Local Plan (2019) in these respects.

d) Amenity Space

Policy H10 of the Local Plan states that *‘the design of outdoor areas will respect the size and character of other similar spaces in the vicinity’*. As mentioned above, large amenity spaces and general plot sizes are considered to characterise the area. The amenity space, whilst sufficient for the purposes of recreation, would not respect the size of those in the vicinity contrary to Policy H10 of the Reading Borough Local Plan (2019).

e) Impact on Neighbouring Amenity

Policy CC8 (Safeguarding Amenity) is concerned with preventing significant detrimental impact to the living environment of existing or new residential properties, including in terms of privacy and overlooking, loss of daylight and visual dominance, amongst other impacts.

The neighbouring properties potentially most affected by the development are those adjacent (no. 16 St Barnabas Road to the east and no 18 St Barnabas Road to the west).

The property would be at lower level than either of these two neighbours due to being a bungalow. Therefore, the scale of the development, in relation to neighbouring windows, would be acceptable. A number of side velux windows are proposed but these would have limited outlook due to their positioning and so would not result in a loss of privacy. One small side elevation window is proposed facing no. 18, however, due to its size and positioning at ground floor, it would not generate long views into the neighbouring site. Furthermore it would serve a bathroom; a non-habitable room. Facing no. 16, 4 side facing windows are proposed along with a dormer (which has no window). Again, given the size of the windows, and given this property has just one small side facing window (with boundary treatment separating the sites) side windows that would face onto the application site, there would not be considered a loss of privacy for no. 16.

The development would extend 9m beyond the rear elevation of no. 16. It is not considered the development would impact first floor windows of this property due to the dwelling being a bungalow and the neighbouring property 2 storey. Ground floor windows may notice the additional bulk (although limited due to the dwelling being a bungalow). However, given the generous size of the no. 16 plot, it is considered that there would be sufficient distance between the neighbouring rear facing windows and the new dwelling so as not to reduce light to these windows to a substantially harmful degree. The amenity space of the neighbouring dwelling is extensive, and so would not be considered oppressive or preclude the enjoyment of this space.

The dwelling would not extend past the deepest point of no. 18 (which has a staggered rear elevation). As such, there would not be considered a loss of light in this respect.

The proposal is therefore considered acceptable in relation to Policy CC8 of the Reading Borough Local Plan (2019).

f) Transport Matters

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 per 2 +bedroom dwelling.

The submitted design and Access statement states that the proposed 2-bedroom bungalow will be provided with 2no. parking spaces served via the existing dropped crossing, however no plan illustrating the proposed parking layout has been submitted. A site plan illustrating access, proposed layout and achievable visibility splays are required.

The Council's Local Transport Plan 3 Strategy 2011 - 2026 includes policies for investing in new infrastructure to improve connections throughout and beyond Reading which include a network of publicly available Electric Vehicle (EV) charging points to encourage and enable low carbon or low energy travel choices for private and public transport. The Councils Local Plan was adopted in November 2019 and this includes a requirement at Policy TR5 for each new house to be provided with an electric charging point. The application fails to comply with this Policy as no electric charging points have been illustrated.

Plan 16B Plot 2 illustrates a gate, if gates are proposed they will need to be set back a minimum of 5m into the site. A site plan illustrating the location of the gates and direction of opening is required.

In accordance with the Councils current standards the proposed dwelling will require cycle storage for 2. In a development of this nature this can be located in a secure garden shed. Confirmation and illustration of storage area is required.

In terms of traffic generation, the cumulative impact of 1 additional dwelling would not generate a significant increase in traffic from the proposed access, however based on the information submitted, the proposal has not demonstrated sufficient vehicle and cycle parking provision, vehicle access, electric vehicle charging points and visibility splays in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan (2019). It is not considered these fundamental transport matters could be dealt with via conditions as the LPA need to be content the proposal would be satisfactory in principle from a highways perspective any permission granted.

g) The Natural Environment and Ecology

Trees

The document provided by the applicant, "SUPPLEMENTARY STATEMENTS v1.0", reads:

'There are no trees on site and enough space has been taken into consideration for the protection of any roots from the neighbouring property at No 18 will be unaffected by its

construction. However, the rear of the proposed house is stepped on plan to avoid intruding upon the root protection area of the nearby tree in the neighbouring garden’.

However, no tree information has been provided - no tree survey, Arborocultural Impact Assessment, nor are trees plotted on the Block plan to back up the above statement.

It therefore has not been demonstrated that tree constraints have been properly considered as we have no information to suggest otherwise. There are two TPO trees at No. 16 St Barnabas Road however these are far enough away to be impacted and protection won’t be required as long as construction works are confined to within the red line of the site.

There will be an expectation that landscaping is included, particularly trees to show the net gain required by Policy EN14 & the Council’s Tree Strategy (2021), but also hedge planting along the frontage in keeping with the character of the road. It is an expectation that all developments show indicative landscaping to demonstrate compliance with our policies with detailed landscaping then secured by condition.

A reason for refusal was provided on tree/ landscaping grounds from the Natural Environment Officer with respect to the above. However, conditions were also provided should the LPA be minded to grant permission. As such, it is considered that the tree/ Natural Environment concerns do have the capability of being overcome through suitably worded pre-commencement conditions and therefore it would not be considered reasonable to refuse the application on matters that could be overcome through the inclusion of conditions relating to boundary treatment and the submission of an Arboricultural Method Statement and Tree Protection Plan. Therefore, subject to conditions, the proposal could be acceptable in relation to Policy EN14 of the Reading Borough Local Plan (2019).

Ecology

The document provided by the applicant, “SUPPLEMENTARY STATEMENTS v1.0”, reads:

“The proposed house would be constructed as infill development in an existing domestic side garden between two existing houses in a line of such houses along the north side of Saint Barnabas Road, part of a recognisable settlement that can be considered as brownfield development. Its impact upon wildlife habitats would therefore be minimal. There are no obvious presence of any protected species. The new property will incorporate a bat roosts to help preserve the species at the rear eaves of the property. For the above reasons it is considered inappropriate to commission an ecological survey and report from specialists in the context of an application for outline planning consent.”

However, upon consultation with the Council’s Ecologist, the site appears to be an overgrown garden that could be used by a number of species including reptiles and nesting birds and as such an ecological assessment, produced by an appropriately qualified ecologist, would need to be submitted. However, at the time of writing, no survey has been provided and so the proposal has not demonstrated it would be acceptable in relation to Policy EN12 of the Reading Borough Local Plan and Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System

Archaeology

As noted earlier in the report, the site is located in an area of Archaeological potential. The proposed new dwelling is, according to historic mapping, situated on previously undeveloped land. There is therefore a likelihood that if any remains are present, they will survive in good condition. The construction of the proposed new dwelling will include ground works that have the potential to impact on buried remains. This impact can be mitigated by a programme of archaeological monitoring and recording, secured by an appropriately worded pre-commencement condition. The proposal would therefore have been acceptable in relation to Policy EN2 of the Local Plan should permission have been granted, subject to condition.

h) Sustainability

The sustainability credentials of the scheme are noted in the Design and Access Statement which are positive. Should permission have been granted, conditions relating to the following matters would have been required to be attached to conform with Policy H5:

- Higher water efficiency standards of 110 litres per person per day; and
- A 19% improvement over building regulations energy requirements

Had the proposal been acceptable, sustainability measures would have been secured through suitably worded conditions.

i) Affordable Housing, S106 and Community Infrastructure Levy (CIL)

Policy H3 requires that *'...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'*. This policy would need to be taken into account in any submission and appropriate S106 contributions would be sought.

The applicant stated they agreed in principle to enter into a legal agreement to secure a financial contribution. However, valuations have not been submitted (it would usually be expected for such information to be submitted at the outset of this application - in any future appeal it would be expected for 3 valuations to be submitted at the outset of the appeal to allow further consideration of this) and as the proposal is not considered acceptable in other planning terms, the Council has not pursued the S106 legal agreement to secure the financial affordable housing provision.

An informative will specify that this reason for refusal could be overcome, in the context of an acceptable scheme in all other respects, by entering into a s106 or unilateral undertaking.

In addition a Community Infrastructure Levy (CIL) would apply for the new build.

As such, the proposal is contrary to Policy H3 of the Reading Borough Local Plan (2019) and the Council's Adopted Affordable Housing Supplementary Planning Document 2021.

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.

Conclusion

The proposed dwelling relative to the size of the plot is considered too great as it results in insufficient gapping around the dwelling. This gapping, along with overall spacious plots are two features in particular which are considered to contribute to the character of the area, as also agreed with by the Planning Inspector under previous appeals at the site. As such, the proposal fails to respond or reflect this character. In addition, the proposal has also not demonstrated to be acceptable in terms of ecological and transport matters, along with not providing an affordable housing contribution.

Recommendation: REFUSE for the following reasons:

1. Due to the size of the dwelling relative to the plot, the proposal would fail to respect the spaciousness of plots found elsewhere in the road. As a result, insufficient gapping is provided between the proposed dwelling and neighbouring sites, consequently failing to respect gapping found in the vicinity. Furthermore, due to the plot's small size, the proposal does not respect the size and character of garden spaces in the vicinity. The proposed front elevation and blank side facing dormer are also a low-quality design that fail to add interest or take architectural cues from surrounding properties. Due to the harm to the character of the road and street scene that would result, the proposal would be contrary to policies CC7, H10 and H11 of the Reading Borough Local Plan (2019).
2. The applicant has failed to fully demonstrate that the proposal would not disrupt the roosting environment of bats, a species which are a material consideration in planning process. As such, in the absence of evidence to the contrary, the proposal is not compliant with policy EN12 of the Reading Borough Local Plan (2019) and Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System.
3. The applicant has failed to demonstrate the proposal would be acceptable in terms of vehicle and cycle provision, access (including visibility splays) and electric vehicle charging provision. As such, the proposal contrary to policies TR3 and TR5 of the Reading Borough Local Plan (2019).
4. 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.

Informatives:

- 1) Refused plans
- 2) Positive and Proactive - Refusal
- 3) Without prejudice to any future application or appeal, the applicant is advised that reason for refusal 4 (affordable housing) could be overcome by entering into a Section 106 Legal Agreement or unilateral undertaking for a scheme that was in all other respects acceptable.