

DELEGATED HOUSEHOLDER APPLICATION REPORT

Ward: Norcot

App Ref: 201033/HOU

Address: 75 Westbourne Terrace, Reading, RG30 2RP

Proposals: Erection of a gate and 6 ft fence around existing driveway.

Case Officer: Mr David Brett

Applicant: Mr S Mohmad

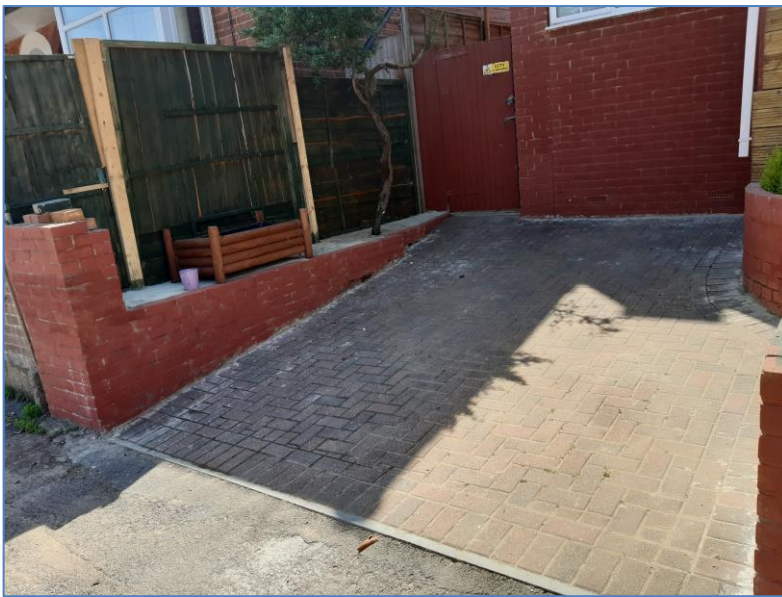
Date received: 18/07/2020

Valid from: 23/07/2020

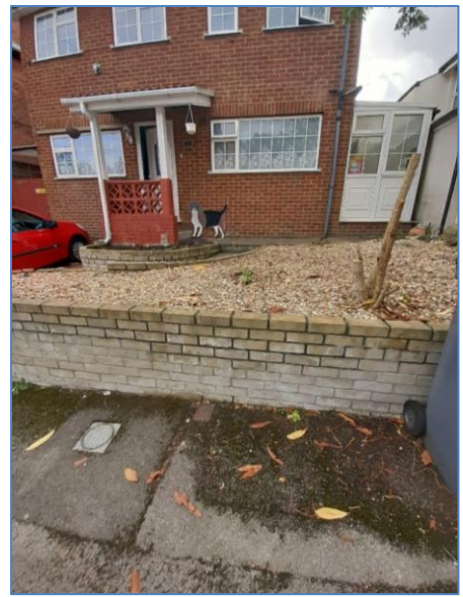
Target Decision date: 23/09/2020

1. INTRODUCTION

The proposal site is a two-storey detached dwelling on the south side of Westbourne Terrace. The road is actually a cul-de-sac, with the application site towards the end of road. The surrounding area is considered largely residential, with a mix of detached, semi-detached and small terraced rows.



1. Driveway of 75 Westbourne Terrace (photo provided by applicant)



2. Front garden of 75 Westbourne Terrace (photo provided by applicant)



3. Front elevation of 75 Westbourne Terrace (image from Google Maps, captured in July 2019).

A full site visit for this application was not possible due to the Coronavirus lockdown. The agent supplied a site photos for 75 Westbourne Terrace on 31/07/2020 as part of application 201033. This photo was used for the purpose of determining this application.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposed development is for the erection of a gate and 6 ft fence around the existing driveway.

Plans considered:

- Location Plan
- Proposed Block Plan
- Existing Side Elevation (East)
- Existing Side Elevation (West)
- Existing Front Elevation
- Proposed Plan
- Proposed Front Elevation
- Proposed Side Elevation (East)
- Proposed Side Elevation (West)

Received on 18/07/2020

3. RELEVANT PLANNING HISTORY

None

4. CONSULTATIONS

4.1 *The following addresses were consulted by letter.*

54 Westbourne Terrace, Reading, RG30 2RP - No consultation response received.
56 Westbourne Terrace, Reading, RG30 2RP - No consultation response received.
58 Westbourne Terrace, Reading, RG30 2RP - No consultation response received.
73 Westbourne Terrace, Reading, RG30 2RP - No consultation response received.
85a Westbourne Terrace, Reading, RG30 2RP - No consultation response received.
Reading Borough Council, Transport - Response received on 09/09/2020

- I object to this application on the basis that the proposed fence would obstruct to visibility splays from the driveway. Visibility splays and sight lines allow vehicles exiting the site to see cyclists, vehicles and pedestrians on the main road. Within the visibility splay or sight line envelope, there should be no obstructions to vision such as fences, walls or vegetation over a height of 0.6 metres above carriageway level. In addition, pedestrians would not be able to see an emerging vehicle from safe distance.

A site notice was displayed from 31st July 2020, expiring on 21st August 2020 - no further responses have been received.

5. EQUALITY ACT 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

6. LEGAL AND PLANNING POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. The following local and national planning policy and guidance is relevant to this application:

National Policy

National Planning Policy Framework

National Planning Practice Guidance

Reading Borough Local Plan (Adopted November 2019)

CC7 Design and the Public Realm

CC8 Safeguarding Amenity

H9 House Extensions and Ancillary Accommodation

TR3 Access, Traffic and Highways-Related matters

TR5 Car and cycle parking and Electric Vehicle Parking

SPG/SPD

A Design Guide to House Extensions SPG

Revised Parking Standards and Design SPD (2011)

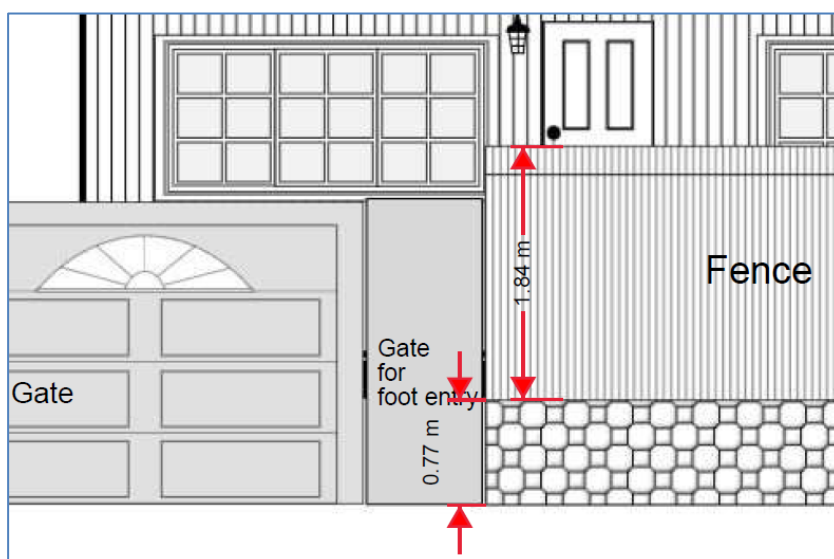
7. APPRAISAL

7.1 Design, impact on the existing dwelling and street scene

In accordance with Reading Borough Local Plan policy CC7: Design and the Public Realm:

- *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. It should make a positive contribution to the character of an area.*

The length and height of the proposed boundary treatment is considered an overbearing addition within the street scene and the surrounding area. This is particularly the case when assessing the proposal against boundary treatment to neighbouring properties. As per the example set out in the House Extensions SPD for fence and walls; “a 2 metre high wall or close-boarded fence on a street with all other properties having low hedges or post and rail fences will fail policy criteria, as it will obviously look out of character”. In this instance, the inclusion of a 1.84m high close-boarded fence, on top of an existing 0.77m high wall is not considered sympathetic to the character and appearance of the surrounding area.



4. Proposed front elevation.

The height of the proposed gate is 2.2m as measured on the proposed elevations. The proposal would result in a closed boundary treatment that partly has a height of 2.2m at a width of 4.05m, and partly a height of 2.6m at a width of 6.4m. The materials and design of the proposed gate and fence are considered out of character with the immediate surrounding area, which predominantly comprises hedges, low boundary walls, and relatively open front gardens and driveways. It is considered proposed development would contrast significantly and negatively against neighbouring properties in terms of character and appearance. As a result, the proposed development is considered contrary to guidance on walls and fences within the House Extensions SPD, and policies CC7 and H9 of the Reading Borough Local Plan (2019).

7.2 Safeguarding Amenity

This proposal has also been assessed against Reading Borough Local Plan policy CC8: Safeguarding Amenity, which states that proposals are acceptable where they will not cause a detrimental impact on the living environment of existing residential properties with regard to factors including:

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

As discussed above, the proposed development is not considered characteristic of the surrounding area. The close-boarded nature of the proposal is considered oppressive to the surrounding area. It is considered that the proposal appears visually dominant on the street scene would harm the outlook to nearby neighbouring properties. Instead of protecting the amenity of existing/future occupiers of the host property (the presumed rationale for the proposal for the applicant), it could actually compromise safety and increase the threat of crime by reducing natural surveillance at this part of the street.

7.3 Transport and Highways

As per the transport observations above at section 4.1, a transport-based objection is raised on this application. More specifically, the proposed fencing would obstruct visibility splays from the driveway. Visibility splays and sight lines are important in allowing vehicles exiting the site to see cyclists, vehicles and pedestrians on Westbourne Terrace. Within the visibility splay or sight line envelope, there should be no obstructions to vision such as fences, walls or vegetation over a height of 0.6 metres above carriageway level. In addition, pedestrians would not be able to see an emerging vehicle from safe distance. Put simply the proposal has not taken this into account and not demonstrated that sight lines would remain; instead it is evident that a harmful impact would occur, to the detriment of highway safety.

7.4 Justification for proposal

Following significant correspondence (see separate section below) the applicant provided the following justification for the proposal on Wednesday 9th September 2020 via email.

1. Our house is unique in that it is the only house with a garden space in the front. There isn't any other house with a similar space.

Case Officer (CO): This respectfully is not considered the case, as there are semi-detached dwellings to the north side of Westbourne Terrace directly opposite the proposal site with front gardens and driveways.

2. We have a front garden and the fence is essential to maintain privacy.

CO: The fence proposed is not considered essential to privacy at 75 Westbourne Terrace. All year-round vegetation screening was presented as an alternative solution to the applicant. This would contribute positively and would make the surrounding area more verdant while maintaining privacy.

3. There is a pond at the front with a fountain and we have sustained losses because of easy access.
4. The garden at the front has garden furniture and again we have had losses/damages because of an easy access.

CO: In response to points 3 and 4, no further details in respect of exact details of losses/damages have been provided; in short, it is considered that alternative means of security should be explored first prior to the proposed fencing solution.

5. The turf in the front garden is damaged because of no gate.
6. We very often find cat faeces in the garden. We have tried ultrasonic repeller but it doesn't help. Even the ultrasonic repeller was broken by someone.
7. The gravel near the pond was also scattered.

CO: In response to points 5, 6 and 7; it is not considered that the proposed fence and gate is an appropriate solution to the issues raised.

8. There are various houses on Westbourne terrace (WT) with high fences. They start with the beginning of WT. You can see high fences on both sides of WT between Wilson street and Tofrek Terrace.
9. There are high fences on the right side of WT after crossing Tofrek terrace (14 - 18 WT).

CO: In response to points 8 and 9; the examples provided to support this application are not considered a direct comparison to the proposal or the application site at 75 Westbourne Terrace. They are close to the entrance to the cul-de-sac, where the plots shape/sizes contrast to the predominant character around the immediate area to the application site building

10. It is not possible for all the house owners in an area to apply for any changes simultaneously. It has to start with the first application. Anywhere in the country, if there are any changes made (be it extension or erection of the fence or the gate) it would have started with the first application getting approved. Others would have followed then (if needed). The first application/change would have been different to the "native" "characteristic" of that area.

CO: As discussed within the appraisal for this application, the proposed development is not considered to respond positively to the local context or street scene. The proposed development is considered intrusive and harmful to the character and appearance of the surrounding area. Starting a precedent by approving these sorts of designs and proposals is not considered sufficient justification in this instance.

11. There are various examples of difference in the height of the fence in the same street or road. One house with a high fence and others with a regular or no fence. If you want me to send you pictures of such examples, please let me know. Also, please let me know, how many such examples would be enough.

CO: It is considered that the street scene of Westbourne Terrace does not have any comparable examples to the proposed gate and fence at number 75. This is particularly the case for the immediate surrounding area.

12. There is also a difference in the houses of a single building. I know a building (on WT) with two houses (semi-detached) where one part of the building has an extension on top while the other part doesn't. The part on would have been added later on and wouldn't match the native structure of the building.

CO: This point is not considered relevant to this proposal as no context has been provided.

7.5 Progress of Application

A series of communications were undertaken with the agent during the course of the application, summarised below.

Communication	Date	From	To	Details
Email	07/09/2020	Case Officer	Applicant	Feedback to applicant regarding application. Raises officer concerns that the proposal is harmful to the character and appearance of the surrounding area. Applicant given the option to receive the refusal or withdraw the application.
Email	08/09/2020	Applicant	Case Officer	Asks how the application is not characteristic of the surrounding area and what is required for the proposal to be characteristic.
Email	09/09/2020	Case Officer	Applicant	Highlights the impact of the proposal on the prevailing street scene. Recommends the applicant to pursue alternatives to the proposal such as soft landscaping. Applicant given the option to receive the refusal or withdraw the application.
Phone Call	09/09/2020	Applicant	Case Officer	Applicant asked by the case officer to provide justification for the proposal. Case officer asked what an appropriate height for the fence would be.
Email	09/09/2020	Applicant	Case Officer	Email from applicant detailing justification for proposal (12 points as addressed in section 7.4 of this appraisal).
Email	10/09/2020	Case Officer	Applicant	Case officer informs the applicant the justification has not alleviated concerns regarding the proposal. Applicant is informed of the objection to the proposal raised by Transport. Applicant given the option to receive the refusal or withdraw the application.
Email	10/09/2020	Applicant	Case Officer	Applicant asks to compare the proposal against nearby examples to the east of Westbourne Terraces and Wilson Road.
Email	10/09/2020	Case Officer	Applicant	Case officer informs applicant that examples presented are not considered direct comparisons to the proposal. Applicant given the option to receive the refusal or withdraw the application.
Email	10/09/2020	Applicant	Case Officer	Applicant asks case officer what difference withdrawing the application would make.
Email	10/09/2020	Case Officer	Applicant	Case officer informs applicant that in some cases applicants or agents choose to withdraw applications in order to pursue other options or to not have a refused planning application against the address. Applicant given the option to receive the refusal or withdraw the application.
Email	10/09/2020	Applicant	Case Officer	Case officer asked by applicant what an appropriate height for the fence would be, as discussed in phone call on 09/09/2020.

Communication	Date	From	To	Details
Email	10/09/2020	Case Officer	Applicant	Case officer informs applicant that the height of the fence is not the only consideration with regards to this proposal. Directs applicant to the wording on fences and walls within the House Extensions SPD. Recommends the applicant to pursue alternatives to the proposal such as soft landscaping. Applicant given the option to receive the refusal or withdraw the application.
Email	10/09/2020	Applicant	Case Officer	Applicant asks case officer for additional time to consider options for this application.
Email	10/09/2020	Case Officer	Applicant	Case officer offers 12pm on 11/09/2020 as a deadline for a response.
Email	15/09/2020	Case Officer	Applicant	Courtesy email to advise the applicant that the deadline for withdrawing the application had passed and a decision would therefore follow.

8. CONCLUSION

Overall, the proposed development is not considered sympathetic to the character and appearance of the surrounding area and street scene. The proposal is considered contrary to a number of Local Plan policies, which are considered to outweigh the justification for the proposal as presented by the applicant.

Officers did advise the applicant of these shortcomings and this conclusion, as evidenced above. The applicant 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 proposed development, by reason of its height and location, represents an unsympathetic addition to the street scene along Westbourne Terrace and wider area which results in a harmful impact on the character and appearance of the area and is harmful to neighbouring outlook. The development is therefore contrary to policies CC7, CC8 and H9 of the [Reading Borough Local Plan \(Adopted November 2019\)](#).
2. The proposed development would obstruct visibility splays from the driveway, which would have an adverse effect on road safety and the flow of traffic, in conflict with Policy TR3 of the [Reading Borough Local Plan \(Adopted November 2019\)](#).

9. RECOMMENDATION

REFUSE

10. 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.

Plans Considered

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

Plans considered:

- Location Plan
- Proposed Block Plan
- Existing Side Elevation (East)
- Existing Side Elevation (West)
- Existing Front Elevation
- Proposed Plan
- Proposed Front Elevation
- Proposed Side Elevation (East)
- Proposed Side Elevation (West)

Received on 18/07/2020

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