

DELEGATED HOUSEHOLDER APPLICATION REPORT

Application No: 201584/HOU

Address: 15 Southcote Lane

Applicant: Mr Leigh Hicks

Proposal: Proposed replacement garage

Target date: 02/03/21

Case officer: Connie Davis

Site Description and Surrounding Area:

The application site contains a two-storey semi-detached dwelling located on the south-eastern side of Southcote Road, on the corner with Kenilworth Avenue. Because of this, the main house is at an angle to Southcote Lane, with its side elevation primarily facing the street.

The surrounding area is predominantly residential with pairs of semi-detached 1930s properties (other than the adjacent neighbour, no. 15a) with the Southcote restaurant located opposite. The building line of the Lane is constant until the application site, where the existing garage and main house are located slightly closer to the highway.

The application property is not listed, nor is it within a conservation area.



Image: Google Maps. No. 15 is located on the right, at an angle to the road, no. 15A to the left with the existing garage in between

Proposal:

Planning permission is sought for a single storey replacement garage which would also incorporate a small office/ wc area at the rear.

It would have a maximum height of 3.4m, width of 5.5m and depth of 9.5m. The existing garage (to be demolished) has the same width, but has a smaller depth of 6.3m and height of 3m. The garage would have a pitched roof, rear and side window (side window facing the main house) with a velux roof light. The garage would be set back from the highway in line with neighbouring property no. 15a Southcote Lane.

Materials (brickwork and tiles) are proposed to match that of the main house.

Plans Considered:

01 - Existing Plans

Received 10th November 2020

03 Rev B - Proposed Block Plan
08 Rev A - Proposed elevations
07 Rev B - Proposed elevations
06 Rev B - Proposed Plans

Received 23rd February 2021

Relevant Planning History:

192046/CLP - Construction of new rear box dormer and conversion of existing loft space, with hip to gable conversion - Permitted Development

Consultation Responses:

Internal Consultees

Transport: Whilst the dimensions for the new garage do not conform to the Councils current standards, they are deemed acceptable. Although not illustrated there is an area of hard standing providing additional parking.

Whilst this application does not intimate that the new detached garage/annexe will be commercially let it is advisable to seek confirmation apply the appropriate conditions relating to commercial let units.

On the basis that the proposed garage extension is to be ancillary to the main dwelling, Transport do not have any objections to this application.

External Consultation

The following addresses were formally consulted via letter on 13/11/20:

15A Southcote Lane
1 and 3 Kenilworth Avenue

In addition, a site notice was displayed between 19th November 2020 - 10th December 2020.

3 letters of objection were received, however these objections were based on the original set of plans that proposed a two storey garage replacement (with office above):

The comments raised were:

- Loss of privacy to 1 Kenilworth avenue due to the proposed balcony dormer. Windows should be obscure glazed
- A condition should be attached to permission preventing the office being used as anything other than a office for the occupier of the main dwelling
- No front elevation showing the distance between the side elevation of no. 15A and the proposed garage. This is needed so boundary line remains in place and for the benefit of the party wall agreement
- Concern that footings and side guttering may overhang onto no. 15A Southcote Lane
- No. 15A would be facing a two storey blank wall
- Loss of light to the living space and garden of 15A and possibility of overlooking
- Due to the size of the proposal, the garage would have a detrimental impact on the street scene

Officer comment: Revised plans were received showing the replacement garage to be single storey (would be slightly greater in terms of height and depth than the existing). This should alleviate some of the concerns raised in the above objections with regards to overlooking, the size of the proposal and impact on the street scene. A full assessment of the latest proposal in terms of neighbouring amenity will be made below and all elevations have been shown, including a street scene elevation.

With regards to the proposal overhanging neighbouring land, affecting boundary lines and party wall agreements, these are not material considerations in the planning process. The proposal is shown, in the submitted block plan, to be entirely within the applicant's land and so is considered satisfactory in this regard. An informative will be attached reminding the applicant of the Party Wall Act and that the development should not encroach neighbouring land. The Party Wall Act/ boundary issues and treatment are civil matters between neighbours.

Revised plans were received on 12th January 2021. The above neighbouring properties were reconsulted on 14/01/21 and were given until 24/01/21 to make any comments on the new scheme. No new site notice was displayed due to the LPA having fulfilled their statutory duty by just notifying adjoining neighbours by letter.

One further comment was received from no. 15A Southcote Lane:

On the proposed drawing no. 06 Rev A proposed block plan their fence is shown between no.15 house and their proposed garage EXTENDING the boundary line forward. The existing pre fab garage which was never permitted is over the front boundary line as is their proposed garage. We object to the amended plans because their proposed garage with a very large high roof is still in front of the boundary line. This will cause loss of natural daylight to our bedrooms which will have bay windows recently approved by Reading BC, our dining room, living room, utility and bathroom on a daily basis. To avoid this the proposed garage needs to be put in line with the front boundary line and pulled away from our shared side boundary line as it is far too close. Any work to be carried out needs to have a party wall act to be drawn up by the applicant and agreed between the two parties before any work can commence.

Officer comment: Material planning considerations will be discussed in the appraisal below (ie. loss of light, proximity to the shared boundary). As mentioned, party wall agreements are civil matters between the applicant and neighbour. It is accepted that it appears planning permission was not granted for the existing garage. However, from looking at maps/ photographs of the site, it appears the garage has been in situ for more than 4 years (the oldest Google Streetview Image dates back to 2009 and the garage was in existence then). The Council would likely be unable to take enforcement against the development as it may have established a lawful use through the passage of time. Officers therefore need to assess whether the replacement structure would result in a substantial level of extra harm than the existing structure currently does. The proposal's relationship with the building line will be discussed below.

Further revised plans were received after this neighbouring comment was made. The new plans see a reduction in the overall height of the proposal and the garage set back to respect the predominant building line of Southcote Lane. It is not considered that these revisions required a further consultation process.

Discussions with applicant/ agent

Substantial re-design was undertaken namely by removing the first-floor office space to make the proposal single storey. The office space was relocated at the back of the proposed garage.

Following further discussions, the single storey garage/ office was lowered in pitch and set back in line with neighbouring properties to better integrate with the wider street scene.

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 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

National Planning Policy Framework;
National Planning Policy Guidance;

Reading Borough Local Plan (2019)

CC7 Design and the Public Realm
CC8 Safeguarding Amenity
H9 House Extensions and Ancillary Accommodation
H10 Private and Communal Outdoor Space

Supplementary Planning Guidance - A Design Guide to House Extensions (2003)

Appraisal Checklist

H9 states: An extension to a house will be acceptable where it:

- A. Respects the character of the house in terms of scale, location, materials and design;

To assess this, the following has been considered - would the proposal:

- Detract from the appearance of the original building through the use of ill-matching materials and by not fitting in with the design, scale and proportions of the original building; **NO, the proposal is considered of an acceptable design and scale. The proposed garage would have the same width as the existing garage, although would be 3m longer in terms of depth (to accommodate the office space at the rear). The pitch of the roof form is also considered acceptable and is in keeping with the pitched front gables found on the main house and neighbouring properties.**

- Reduce the amount of usable amenity space for the property to an unacceptable degree; **NO**, sufficient amenity space would still be retained despite the proposed building extending further into the rear garden than the existing.
 - Require the loss of trees in the garden or put significant trees at risk; **NO**
- B. Respects the character and pattern of neighbouring properties and appearance of the street as a whole in terms of scale, location, materials and design, the arrangement of doors, windows and other principal architectural features and any important existing building line;
- & C. Does not present an overbearing impact on neighbours or a large blank façade to public areas

To assess this, the following has been considered - would the proposal:

- Significantly reduce the amount of daylight and sunlight enjoyed by neighbouring properties; **NO**, the proposed garage would not extend beyond the rear elevation of no. 15A and so is not considered to cause conflict with rear windows of this property. It appears that no. 15A has one ground floor side window that would face the proposed garage. From looking at floor plans of the neighbouring property, this side window serves a bathroom which is not considered a habitable room where outlook and access to natural light has to be considered.

Following the neighbouring objection, the proposed plans were further revised so the proposed garage would now be in line with no. 15a. As such, the proposal would not be considered to impact front facing windows on the neighbouring property.

It is considered that the revised plans have overcome other neighbouring concerns raised as part of the original neighbour consultation. The proposal is considered acceptable in relation to other neighbouring properties.

- Invade the privacy of neighbouring properties through overlooking from windows or balconies; **NO**, no side windows are proposed that would face onto no. 15A.

It is considered that the revised plans have overcome the concerns raised as part of the original neighbour consultation. The single storey structure is not considered to compromise the privacy of neighbouring properties.

- Detract from the character of neighbouring properties through siting, excessive bulk, ill-matching materials or inconsistent design; **NO**, it is noted the proposed garage would be closer to the shared boundary with no. 15A Southcote Lane than the existing garage, however the garage is proposed entirely within the applicant's land. Furthermore, it is not considered that the proximity to the boundary would result in an overbearing affect to this neighbouring property (due to it not being considered to substantially harm light levels/ outlook), nor would it be considered detriment to the street scene in this instance given the existing situation. A gap is maintained between no.15A and the shared boundary meaning that low level gapping would still be noticeable between the sites.

The proposed garage would respect the surrounding building line of Southcote Lane and so is considered acceptable in terms of position and siting within the street.

- Detract from the appearance of the street or area by using ill-matched materials, glazing and detailing; **NO, materials are proposed to match the host dwelling.**
- D. Does not result in a loss of biodiversity within garden - NO
- E. Ancillary accommodation, such as granny annexes, will be acceptable where it would not be capable of operating as a separate dwelling which could be let or sold separately - NO, the revised scheme is considered of an acceptable scale and has been submitted as a householder application with the provision of a home office. Within the neighbour objections and Transport department response, comment was made that a condition should be attached ensuring the building remains in ancillary use to the main dwelling.

In this particular instance, a condition preventing the garage/ office to be let or sold separately is not considered proportionate given the information submitted. Should the office be being used for purposes other than ancillary to the main property, this can be reported to the Council's Planning Enforcement team.

CC8: states: Development will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties, in terms of:

- ▢ Privacy and overlooking; **No**
- ▢ Access to sunlight and daylight; **No**
- ▢ Visual dominance and overbearing effects of a development; **No**
- ▢ Harm to outlook; **No**
- ▢ Noise and disturbance; **No**
- ▢ Artificial lighting; **No**
- ▢ Vibration; **No**
- ▢ Dust and fumes; **No**
- ▢ Smell; **No**
- ▢ Crime and safety; **No** or
- ▢ Wind, where the proposals involve new development of more than 8 storeys - **N/A.**

Other Matters

Transport

As per the consultation response, the proposed garage falls short of the Council's current standards, however so did the exiting. As such, the proposal is not compromising parking provision or resulting in any new harm in this regard. Transport Officers did recommend a condition ensuring the garage remained ancillary to the main house, however as discussed above, this was not considered necessary in the context of revised plans.

The Transport department did not comment on the revised set of plans as the dimensions of the garage and its location remain the same as the original plans.

Informatives were recommended relating to Highway matters and damaging the verge.

As such, the proposal is considered acceptable in terms of Policy TR3 of the Reading Borough Local Plan 2019.

Conclusion

The proposed development would not be harmful to the character or appearance of the site or its surroundings and would not have a detrimental impact on the original building or neighbouring properties. As such the proposed works are considered to be in accordance with CC7 (Design and the Public Realm), CC8 (Safeguarding Amenity) and H9 (House Extensions and Ancillary Accommodation) of the Reading Borough Local Plan (2019) along with the Councils Supplementary Planning Guidance A Design Guide to House Extensions (2003).

RECOMMENDATION: GRANT PERMISSION

Conditions

1. TL1 - 3 year time limit.
2. Approved plans
3. Materials to match

Informatives

1. Building Control
2. Construction & Demolition
3. Terms
4. Encroachment
5. Highways
6. Do not damage the verge
7. Positive and Proactive

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