

DELEGATED APPLICATION REPORT - Application No.: 200532/OUT

Address: 3 Modbury Gardens, Reading

Proposal: The erection of a two-storey side and rear extension to create 2 x no. 2-bedroom flats.

Case officer: Anthony Scholes

Site Description and Surrounding Area:

Modbury Gardens is a 'T' shaped cul-de-sac consisting of two storey blocks of four terrace properties and semi-detached properties. No. 3 Modbury Gardens is a two storey end of terrace property within a block of four properties. The row of properties is shorter in length than the block of four properties opposite. Due to its corner position the entrance to the property is on the side and the property has a large open side garden. There are parking spaces to the rear.

Proposal:

The applicant is seeking full planning permission for a part two-storey part single-storey attached dwelling, to contain 2 x 2-bed flats and to sub-divide the garden of the existing dwelling at 3 Modbury Gardens to form two gardens, one for the existing house and one for the proposed ground floor dwelling. Two new parking spaces are proposed to the front of the existing property and two spaces created in a similar location to the existing parking area at the side. Additionally, the proposal necessitates a new front entrance to no.3 Modbury Gardens which is proposed to be shared with the split level first and loft flat.

Relevant Planning History:

191015/OUT - Outline planning application for access and scale for a single attached dwelling, with Appearance, Landscaping, and layout reserved. APPROVED 1/11/2019

181120/FUL - Two storey side extension to the side of 3 Modbury Gardens to create a 1 x 1 bedroom flat and 1 x 2 bedroom flat. REFUSED 21/8/2018

99/01193/FUL (992167) - Erection of two bedroom end-of terrace dwelling APPROVED 1/3/2000

05/00242/FUL (050690) - The erection of a two bedroom end-of terrace dwelling.(Renewal of planning permission 99/01193) APPROVED 4/5/2005

Consultation Responses:

Transport Strategy: No objection subject to conditions and informatives.

Tree Officer: No objection subject to conditions.

Ecology Consultant: No objection subject to conditions.

Environmental Health Officer Comments: No objection subject to conditions

All adjoining properties were consulted, a site notice was erected on site. Three neighbour representations have been received, and points raised are summarised below:

- Parking and access concerns;
- Concerns about construction management;
- Reduction of on-street parking;

Plans Considered

The following plans were submitted for consideration:

- Drawing No: PL-01 - Location plan
- Drawing No: PL-07 - Proposed plans
- Drawing No: PL-03 - Existing and proposed block plan
- Drawing No: PL-04 - Proposed site plan

- Drawing No: PL-05 - Existing plans

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'. However the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy and Sites and Detailed Policies Document) according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

Reading Borough Local Plan (2019)

CC1: Presumption in Favour of Sustainable Development
 CC2: Sustainable Design and Construction
 CC3: Adaptation 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: Standard for New Housing
 H10: Private and Communal Outdoor Space
 H11: Development of Private Residential Gardens
 TR1: Achieving the Transport Strategy
 TR3: Access, Traffic and Highway-Related Matters
 TR5: Car and Cycle Parking and Electric Vehicle Charging
 EN14: Trees, Hedges and Woodland
 EN15: Air Quality
 EN16: Pollution and Water Resources

Supplementary Planning Guidance/Documents

Sustainable Design and Construction (2019)
 Parking Standards and Design SPD (2011)
 Affordable Housing Provision (adopted 2013)
 Planning Obligations Under Section 106 (2015)

Appraisal

Principle

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.

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.

The NPPF (2019) section 68(c) states that: LPAs should support the development of windfall sites through their policies and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes.

As such, the proposed development would provide an additional dwelling within the Borough, therefore, the principle of the redevelopment of the site for further residential development could be acceptable, subject to other material planning considerations relating to matters such as design, residential amenity, transport and landscaping.

Design Considerations and Impact on the Character of the Area

Core Strategy Policy CC7: Design and the Public Realm is a strategic policy seeking high standards of design quality in new development. It sets out how various components of development including layout, urban structure and urban grain, and scale, make a positive contribution to their surroundings and respond positively to their local context.

Policy H11: Development of Private Residential Gardens within states that proposals for new residential development on land within the curtilage of private residential gardens subject to specified criteria. The criteria states that that residential development should make a positive contribution to the character of the area in respect of the layout and spacing of the development; the coverage of each plot and rhythm of plot frontages; compatibility with the general building height within the surrounding area; the arrangement of doors, windows and other principle architectural features and their rhythm between buildings. The application site should also provide a site of adequate size to accommodate amenity space and landscaping; and the emphasis is on the provision of family-sized housing.

The immediate vicinity includes a regular building height (2-storeys), and appears to have been constructed in a similar era. In this particular instance, the proposal is seeking approval for an ‘L’ shaped two storey element, with a single storey rear element. The bulk of the building is considered to be overly dominant as compared to the built form and plot coverage within the area. The building does not provide an appropriate amount of space around buildings commensurate to the area, and the design, which includes a part ‘L’ shaped hipped roof form, would be at odds with the prevailing and distinctive character of the area.

The site benefits from outline planning permission for a two storey end of terrace building, with access, and scale the only elements considered at this time. The outline permission approves an extension to the terrace with the same width, and height, as well as a continuation of the roof form to the end. The various elements of fenestration are yet to be approved. In the previous instance, due to the depth of the remaining rear garden, and bulk of the proposal, it was deemed acceptable.

In elevational form, the proposed development includes provision of a recessed entrance to the front of the existing dwelling, to provide two access doors for no.3, and the proposed first floor and loft flats. The first floor includes two small windows in this recessed portion. The entrance to the ground floor flat is proposed to be via the side of the proposed dwelling and would contain a small portico. The design also includes a single storey rear element, which would read as a single storey rear extension, to provide space for the ground floor flat. The architectural detailing to the front is not considered to maintain or enhance the character of the area in terms of spacing of windows and doors. To the side, the provision of a long predominantly blank wall to the public areas, and overly convoluted roof form, and design, are cumulatively considered to harm the character and appearance of the area.

Due to its design, size and appearance the proposal is considered to represent an overdevelopment and over-intensive use of the site that is considered out of character with the area, which comprises of single family dwellinghouses and which fails to make a positive contribution to the character of the area. The proposal is therefore contrary to Policy CC7 (Design and the Public Realm) and H10 of the Reading Borough Council Local Plan (2019).

Amenity

Amenity of proposed flats

The proposed flats both have front and rear facing windows to main rooms other than bedroom two of the ground floor flat, and bedroom two of the first floor flat which is located in the roof space, which only has a rooflight. Flats would be expected to provide rooms of an adequate size in line with the Department for Communities and Local Government - Technical housing standards - nationally described space standards as included in policy H5 (Standards for New Housing) of the Reading Borough Local Plan (2019). Policy H5 also states that 'ensuring sufficient levels of internal space is essential to the quality of life of residents of the Borough, which is a key element of the vision of the Borough'.

Internal floor area measurements have been provided, however the LPA's calculation shows the ground floor flat would measure approximately 67.5sqm and the first floor flat 67.6sqm (when discounting the staircase area provided purely for access to the first floor flat, although not including any reduced head heights within the loft accommodation). These calculations fall short of the nationally described space standards (other than if the ground floor flat was a 3 person flat - for which the floor area should be 61sqm) which states that minimum gross internal floor areas should be 50sqm (2 person) for a one bedroom flat and 70sqm for the ground floor flat, and 79sqm for the proposed first floor split level flat (3-bed 4-person). Both flats are considered to be 4-person flats based on the size of the proposed second bedrooms. The inadequate size of the internal living space is symptomatic of overdevelopment and would result in the creation of substandard living accommodation to the detriment of future occupiers contrary to policy H5.

Policy H10 (Private and Communal Outdoor Space) sets out that 'Dwellings will be provided with functional private or communal open space... Houses will be provided with private outdoor space whereas flats may be provided with communal outdoor space, balconies and/or roof gardens.'

H10 also states that '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.'

The standards previously set out in the Space Around Dwellings Supplementary Planning Guidance have been carried forward to the supporting text of the Sites and Detailed Policies Document at paragraph 5.6.10. This paragraph sets out that as a guide a one/two bedroom flat outside central Reading should be provided with 25sqm of private outdoor space.

The proposal provides a garden area for 3 Modbury Gardens which compares favourably with those in the area and is acceptable. However the proposed garden space for the ground floor flat has been significantly reduced by the provision of a larger built form (than the attached terrace), the inclusion of a single storey rear portion, and provision of two-on-site carparking spaces to the rear. However the proposed two bedroom flat (located on the first floor) could be occupied by a family and has no access to any on-site garden space, nor would it contain space for clothes drying etc. that may usually occur on balconies within flats. The gardens for the proposed flats are also much smaller than the gardens within Modbury Gardens and therefore do not respect the size and character of other similar spaces within the surrounding area. The proposal is therefore contrary to policy H5 and H10 of the Reading Borough Local Plan (2019).

Impact on neighbouring properties

Policy CC8 (Safeguarding Amenity) states that development will not cause a significant detrimental impact on the living environment of existing residential properties in terms of privacy and overlooking, access to daylight and sunlight, visual dominance and overbearing effects of a development, noise and disturbance.

Although the proposed building introduces a built form that would be visually prominent due to its size and design and would be 2m longer than the rear wall at first floor. The rear window of the existing dwelling closest to the proposed dwelling serves a staircase landing, and as such would not result in any overbearing impact as residents would be spending limited time in in this location. In addition, the loss of light as viewed in elevation form, would broadly respect the 45 degree line, and would not result in a significant loss of light to this window, due to the depth of the proposal being similar to the single storey rear extension.

Nor is the single storey element, 3.5m in depth greater than the rear extension of no.3, considered to be overbearing. It is not considered that there would be any dominance or overbearing effect on the existing dwelling.

The rear windows will face the front/side of 4 Modbury Gardens but there is approximately 10m to the boundary with this neighbouring property and this property has no side facing windows.

The proposal is therefore not considered harmful to the amenity of neighbouring properties and is in accordance with policy CC8 of the Sites and Detailed Policies Document.

Impact on Parking/Highways

The proposed development would provide 2 on-site car parking spaces for the existing dwelling, and 2 for the proposed dwelling. This would not result in any additional demand for on-street parking as per the Council's adopted parking guidance.

Plans demonstrate that 2no. new car parking spaces would be provided for the existing dwelling served by a dropped kerb. Any surface water from the parking areas should be constructed to run off onto the grassed area so not to increase the surface water run-off from the site.

In accordance with the adopted Parking SPD, the new units would require 0.5 cycle parking space each. The Proposed Site Plan PL 04 illustrates a cycle shed for each of the proposed dwellings in the garden area which is deemed acceptable.

Refuse bins for the new units are located in the garden area, it is assumed that bins will be moved so that refuse collections will be made from Modbury Gardens as per the existing arrangements.

The scheme is considered acceptable in accordance with policies TR1, TR3, and TR5, subject to conditions securing a construction method statement, provision of vehicle parking; provision of the access; provision of cycle and refuse storage facilities.

Sustainability

Policies CC1, TR5, and H5 of the Reading Borough Local Plan 2019 all include increased standards for sustainable homes. As such, conditions could be attached to ensure the following:

- Proposal will achieved a minimum 19% improvement in the dwelling emission rate over the target emissions rate, as defined in the 2013 Building Regulation (may be superseded by future Building Regulations by construction);
- Proposal to be accessible and adaptable in line with M4(2) of the Building Regulations where it is viable, unless it is built in line with M4(3);
- Proposed development to be built to the higher water efficiency standard under Regulation 36(3) of the Building Regulations;
- Development will provide a minimum of 1 Electric Vehicle charging point (within the proposed car parking area)

Impact on Natural Environment

There are no protected trees, nor vegetation on the site and space is available for hard and soft landscaping which could secured by condition.

Affordable Housing

The proposal seeks to create 2 new dwellings and therefore a contribution towards off-site affordable housing provision is required as part of the application in accordance with policies H3 and the Affordable Housing SPD under Section 106 of the Town and Country Planning Act 1990. The applicant has not submitted any information to the LPA to calculate an appropriate figure based on the GDV. The applicant had agreed to a contribution, and had the application been found appropriate in all other matters a figure would have been discussed. However, this would still form a reason for refusal, although it could be overcome with an appropriate legal agreement.

CIL

CIL would have applied to the proposal had it been found acceptable.

Conclusion

On the basis of the above, and in light of material planning considerations, the proposal is not considered to be in accordance with the development plan. Accordingly, the recommendation is to refuse full planning permission.

RECOMMENDATION:

REFUSE