

## **DELEGATED APPLICATION REPORT**

**Application No:** 210976 / VAR

**Address:** 73 Queensway, Reading, RG4 6SJ

**Proposal:** Application for variation of condition 5 following grant of planning permission 171683

**Case Officer:** Beatrice Malama

**Date received (valid from):** 14<sup>th</sup> June 2021

**Target date:** 9<sup>th</sup> August 2021; **Agreed Extension:** 25<sup>th</sup> August 2021

### **Site Description and Surrounding Area**

The application site is a two story end terrace dwelling located at 73 Queensway. The site is in a predominantly residential area comprising of detached, semi-detached and terraced dwellings of similar design and style. The area is characterised by dwellings with pitched front and rear porches. The site's immediate surrounding area is characterised by a range of single-story rear extensions displaying a variety of styles. The property is not listed and does not fall within a conservation area.

### **Proposal and background**

Application 171683/HOU was approved on 13<sup>th</sup> December 2017 for a single storey rear extension with roof lights over. The rear extension was implemented and completed, but varied from the approved plans in terms of the depth, height and design. A subsequent Non Material Amendment (NMA) was refused on 9<sup>th</sup> April 2021 to alter the approved plan to that which was built as the proposed alterations were considered material.

This current application has been submitted under s73A of the Town and Country Planning Act (1990), to retrospectively vary condition 5 (approved plans) of original planning permission 171683/HOU. The variation sought, involves alterations to the permitted hipped/pitched roof with two roof lights to a flat roof with a roof lantern and a reduction in the depth of the extension from the approved 3.2m to approximately 2.8m. The height of the extension has also reduced from the overall height of 3.5m to approximately 2.8m however due to the loss of a pitched roof the eaves have increased by 0.4m. The rear extension has been built using redbrick and windows are black UPVC.

### **Plans Considered**

The following drawings were submitted as part of this application:

Drawing No: 30720-10 - Block and Location Plan

Drawing No: 30720-10 - Pre-Existing Elevations

Drawing No: 30720-11 - Pre-Existing Ground Floor Plan

Drawing No: 30720-12 - Existing Elevations

Drawing No: 30720-13 - Existing Ground Floor Plan

Received on 14<sup>th</sup> June 2021

The following plans were approved under planning application 171683/HOU:

CW.10 rev A - Site/Block Plan

CW.13 rev A - Proposed Ground Floor Layout

CW.14 rev A - Proposed Elevations

Received on 6<sup>th</sup> December 2017

#### Relevant Planning History

| Application No. | Description                                                                                                                                  | Decision | Date       |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------|----------|------------|
| 171683/HOU      | Single storey rear extension with roof lights over                                                                                           | Granted  | 13/12/2017 |
| 210352/NMA      | Non-Material Amendment to planning permission 171683 for the reduction in size of approved single storey rear extension and roof alterations | Refused  | 09/04/2021 |

#### Consultation Responses

Neighbouring owners and occupiers at 71, 75 Queensway (RG4 6SJ) and 16 Whitby Green were consulted by letter. A site notice was sent to the agent on 21/06/21. Two objection letters were received from occupiers at 14 Whitby Green and 71 Queensway. Objections are based on the following issues:

- Loss of light, overshadowing and overbearing
- Design and appearance including the existing vent/flue pipe on the flank wall
- Accuracy and Relevance of submitted drawings

**Planning officer comment:** The issues above are addressed under the 'appraisal section' of the report

## **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'.

### National Planning Policy

National Planning Policy Framework (2021)

National Planning Practice Guidance

### Reading Borough Local Plan (2019)

CC7- Design and the Public Realm

CC8 - Safeguarding Amenity

H9 - House Extensions and Ancillary Accommodation

### SPG/SPD

A Design Guide to House Extensions SPG (2021)

## **Assessment**

An application submitted under s73A allows the Local Planning Authority to only consider the retrospective variation to the individual condition sought. All other matters remain as approved under planning permission 171683/HOU. If permission to amend the condition is granted, this has the effect of granting a new planning permission for the development, with any other relevant conditions reattached if applicable.

As condition 5 relates to approved plans, the main considerations of this application are the impact of the changes to this condition on the character and appearance of the area and on residential amenity of adjoining occupiers.

## Character and Appearance

The dwelling for which this application relates is mid-20<sup>th</sup> century and of unremarkable appearance. The area comprises of detached, semi-detached and terraced properties of similar style. The immediate area is characterised by a range of single-story rear extensions displaying a variety of styles. There is a footpath to the western and southern boundaries of the site as shown in figure 1, however the garden is largely screened behind close boarded fencing.

The roof of the extension has been constructed as a more contemporary flat roof design with a lantern light, rather than a pitched roof as approved. This has resulted in an increase in the eaves height by 0.4m adjoining either boundary. However, the overall ridge height of the extension has reduced from the original approved plans by 0.7m and the depth reduced to approximately 2.8m making the rear extension smaller in size and scale than that originally permitted.

The extension is constructed of redbrick to match the original house whereas the windows have a black upvc finish.

The flat roof design with a lantern light has resulted in an increase in the height of the eaves by 0.4m. However, the overall height of the extension remains less than what was originally approved. Whilst a conventional hipped/pitched roof was originally deemed acceptable, the use of a more contemporary flat roof of this type is not considered harmful to the character and appearance of the original house or wider area. In addition, the use of a roof lantern adds interest and variety. The amended roof design is not considered to result in the extension having any greater degree of prominence when viewed from outside the garden than originally permitted scheme.

With regard to the windows and door finishes, the extension has made use of a contemporary black UPVC as an exterior finishing material which is different from the rest of the house and that of the neighbours. It is considered that the use of black UPVC for the windows causes no material harm to the appearance of the house, which itself is not historic or necessarily requires architectural replication, nor is the use of black UPVC considered to cause harm to the wider area. It is considered that the use of black UPVC complements the overall contemporary design of the extension and the use of glass bi-folding doors. This allows the extension to add a modern touch to a mid-20<sup>th</sup> century house.

The amendments sought to condition 5 are therefore considered in keeping with the original house and are not considered to have a detrimental impact on the surrounding area.

In this regard the retrospective changes to condition 5 are not considered to conflict with policies CC7 and CC8 of the Reading Borough Council 2019 and the Design Guide to House Extensions (SPD) 2021.

*Figure 1: View of the extension from a footpath*



### Residential Amenity

The constructed rear extension is single-story and it does not have windows to the side facing 71 Queensway therefore no harmful overlooking or loss of privacy is created. The extension would continue to enjoy a conventional side-to-side relationship with the attached neighbour.

As described, the eaves height of the extension is 0.4m taller than that approved as a result of the flat roof design. However, the overall ridge height of the extension has reduced by 0.7m through removal of the pitched roof. Furthermore, the depth of the extension has also been reduced by 0.4m, making the rear extension smaller in overall size and scale than that originally permitted.

In considering the affect upon the attached neighbour, the reduction in overall depth of the extension and the south facing orientation of the gardens, is considered to ensure that any overshadowing and/or perceived overbearing is unlikely to cause any significant harm.

*Figure 2: View of the extension from the neighbour's garden*



With regard to the vent/flue pipe on the flank wall, although the pipe is visible, no part of the pipe or any other part of the extension overhangs on to the neighbour's property therefore it is not considered to cause harm to the living conditions of the neighbours.

#### Relevance and accuracy of drawings

The drawings submitted as part of this application have been considered in detail and are considered accurate for the purposes of this assessment, therefore meet the requirements for this planning application.

### **RECOMMENDATION**

It is recommended that permission be GRANTED for the Section 73A to vary condition 5 (approved plans) of planning permission 171683/HOU subject to the following conditions.

### **CONDITIONS**

Approved Plans

#### **Informatives**

Positive and Proactive working

Terms

Building Control