

DELEGATED APPLICATION REPORT

Address: 357 Basingstoke Road

Application No: 190891/FUL

Applicant: Kingfisher Mini Coaches

Proposal: Removal of existing rear workshop, store and metal container with the erection of a new purpose built workshop

EOT: 31/01/20

Case Officer: Connie Davis

1.Site Description and Surrounding Area:

The application is a former end of terrace residential unit located on the eastern side of Basingstoke Road. The site is currently used by King Fisher Mini Coaches for businesses purposes, with an office to the rear of the main property and a coach yard in the former garden. It has an outbuilding which is used as a workshop. A small track separates the site with 363 Basingstoke Road and Whitley Park Primary and Infant School located at the rear of the site. The surrounding area is predominately residential.

The application site is not listed, nor in a conservation area. However the site is located within an Air Quality Management Area.

2. The Proposal

The proposal comprises of the demolition of the existing workshop to construct a purpose built workshop to allow the servicing & MOT of vehicles. It should be noted that the site has not been granted planning permission to be used for business purposes, nor has a Certificate of Lawfulness been granted to establish this use of the site. In planning terms, the site is lawfully a C3 dwellinghouse.

The existing workshop which is to be demolished measures a height of 5m, width of 10m and a depth of 7m. It is located on the southern side of the yard, away from immediate neighbours (353 and 355 Basingstoke Road). A metal container is located on the northern side of the site, near the boundary with 353 Basingstoke Road which is also proposed to be removed.

The proposed workshop would measure 8.5m in depth. The roof is proposed to be slanted and have a minimum height of 5m and a maximum height of 7.5m. It would have a width of 16m which is almost the entire width of the yard. There would be approx. a 1m separation distance between the building and the boundary fence with no. 353 Basingstoke Road.

The building would be made from zinc cladding (RAL 7016 - dark grey) with upvc windows.

3. Consultation

Internal Consultation

Environmental Protection and Nuisance (EP&N)

The EP&N officer requested that a noise assessment was carried out due to the site being located in a residential area. Following the receipt of an assessment the officer made the following comments:

The noise assessment concludes, as suspected, that noise levels would be at a level where adverse impact would be expected if the workshop were to operate with open doors. The proposed mitigation measures include installation of insulated doors to the workshop, and of course these will need to be used to contain the noise. With closed doors, the noise levels will be acceptable at local resident's homes and will be an improvement over the existing situation which did not have planning consent.

Transport

The RBC Transport Officer notes that the submitted plans show that half the number of vehicles, compared to the current position, would be accommodated on the site following development. The application stipulates that there would be no change to the current operation therefore it should be confirmed where the additional vehicles would be parked if they are not on site.

External Consultation

The following addresses were formally consulted via letter on

351, 353, 355, 363,
8, 9 Meavy Gardens
Whitley Park Primary and Infant School

In addition a site notice was displayed between 24th June 2019 - 15th July 2019.

Two objections were received from 353 Basingstoke Road relating to the following issues:

- The removal of the existing workshop would open the access to the site, allowing larger vehicles to be brought in
- Size of the proposed building would cause overshadowing
- Proposed first floor windows would compromise the privacy of the garden
- Proposed first floor windows would compromise the privacy of rear windows on the property

- Proposed WC area is on the side of the building closest to the garden of no. 353 which is considered inappropriate
- Concerns over air quality due to the fumes from the buses
- Concerns over safety as there would be a reduced space for vehicles to manoeuvre
- Out of character in a residential area
- Noise impacts of the development

Officer comment: *These issues will be addressed throughout the officer report.*

4. Plans and Documents Considered

The Council, in reaching its recommendation, has taken into consideration the following plans & documents:

Drawing No.:

PL-01 Rev A - Location Plan
 PL-03 Rev A - Existing and Proposed Block Plan
 PL-04 Rev A - Existing Elevations
 PL-05 Rev B - Proposed Site Plan
 PL-06 Rev A - Proposed Plans
 PL-07 Rev A - Proposed Elevations
 PL-08 Rev A - Proposed Sections
 PL-09 Rev A - 3D Images
 Google Image
 Letter dated 17th May 2019
 Planning Statement dated 26-05-19

Received 4th June 2019.

5. Relevant Planning History

None.

6. 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.

7. Relevant Planning 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. The Development Plan for Reading relevant to the application site comprises the Reading Local Plan (2019).

The '*National Planning Policy framework*' ('NPPF') 2012 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Reading Borough Local Plan (2019) 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 'NPPF' and the following development plan policies and supplementary planning guidance are relevant:

8. Relevant Policies

At the time of the application's submission/validation, the former LDF documents were in place. These were superseded by the New local plan, which was adopted on 4 November 2019.

The application has been assessed against the following policies:

National

National Planning Policy Framework;
National Planning Policy Guidance;

Reading Borough Local Plan (2019)

CC7: Design and the Public Realm

CC8: Safeguarding Amenity

EN16: Pollution and Water Resources

EN17: Air Quality

TR3: Traffic, Access and Highway Related Matters

9. Appraisal

- 1) Principle of Development
- 2) Design and Impact on the Street Scene
- 3) Impact on Neighbouring Amenity
- 4) Noise
- 5) Transport
- 6) Other Matters

1) Principle of Development

The overall principle of a B1/B8 is not considered acceptable on this site. Even if its use for such could be established through a Certificate of Lawfulness, the proposal under consideration under this application would still not be acceptable for the reasons set out and assessed below and it would intensify an already unacceptable use.

2) Design and Impact on the street scene

The proposed design of the workshop is considered excessive in terms of height and width in relation to the residential properties in the vicinity. The justification for the size of the building, given by the applicant, is that the building could not have a pit to service vehicles, as the use of a pit is not recommended. The building, therefore, has to be of a scale to enable vehicles to be levered upwards, hence its height. However, no justification or detail has been given as to why the area next to the reception/ WC is so large, or what this would be used for. Notwithstanding business reasons for the scale of building the design needs to be assessed in relation to design policies.

Policy CC7 states that *'all development must be of high quality that maintains and enhances the character and appearance of the area of Reading in which it is located. The various components of development form, including: Scale: height and massing'*.

The residential area is characterised by two storey terraced properties of traditional materials. The proposed design of the building is not considered appropriate within a residential area due to its overall scale and design.

The proposed building would expand the entire width of the plot (which is wider than gardens of neighbouring properties, as at some stage it appears that some of the rear garden space of the adjacent neighbour, no. 355 was acquired) and would be finished in dark zinc cladding. It would also have a larger footprint than the main property which is retained at the front of the site (no. 357). As such, it is not considered to respect the aspect of Policy CC7 as mentioned above.

In terms of impact on the street scene, the proposed development would be somewhat visible if standing directly in front of no. 357. This is due to the proposed building being the whole width of the plot, which would make it visible along the access to the rear of the property. However the proposed development is measured to be in excess of 50m from the highway, according to the submitted plans, and as such, it is not considered that the development would be particularly prominent when viewed within the wider street scene. It is therefore considered to not conflict with CC7 in this regard.

Overall, there is no overriding material consideration for a building of this scale in this location and the proposal is considered contrary to Policy CC7 of the Reading Borough Local Plan (2019) for the reasons given above.

3) Impact on neighbouring amenity

Policy CC8 states that development will only be acceptable if it *“will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties”*

It is considered that due to the overall scale of the building this would result in harm to neighbouring properties (353 and 355) by way of outlook, particularly at first floor level which is contrary to Policy CC8. Its height and depth is also excessive given its proximity to the boundary with 353's rear garden and would be considered overbearing at the end of this garden, which would result in visual dominance and potential overshadowing. There is not considered to be any direct conflict with 363 Basingstoke Road due to the track that separates the two sites, and this neighbouring property not having a rear garden that extends to the same depth as the application site. This means that the workshop would not be overbearing to this garden space. It is also considered that there is a sufficient distance between the proposed development and Whitley Park Infant and Nursery School (in excess of 20m). The rear of the site is also screened by vegetation and is therefore not considered to be harmfully prominent in visual terms.

The building has also been designed to incorporate a new office space and WC. This is proposed to be located on the northern side of the building, closest to no. 353 which has three windows on the first floor. However, given that these windows would be separated from the rear windows of neighbouring properties (353 and 355) by approx. 35m, and that the proposed windows would not serve a habitable space, on balance this element of the design is considered acceptable. However it is considered that these windows could result in overlooking into neighbouring properties' gardens, due to the building's proximity to the site boundary, which is contrary to Policy CC8. The location of the WC on the northern side of the building, is on balance, considered acceptable as no WC windows are proposed. However it is questioned as to whether the external door is required to the WC, and could be located within the building.

As such, the proposal is considered contrary to Policy CC8 of the Reading Borough Local Plan (2019) for the reasons above.

4) Noise

Policy EN16 states that *‘Development will only be permitted where it would not be damaging to the environment and sensitive receptors through land, noise or light pollution’*.

Policy CC8 states that *‘Development will not cause detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties in terms of...noise and disturbance’*.

The noise assessment carried out concluded that the proposed development would only be acceptable for surrounding residential properties in terms of noise if the workshop were to have insulated doors and for these to be closed at all times. It is not considered that the closure of workshop doors at all time is a practical, nor would it be considered an enforceable condition. The opening and closing of doors could in itself also cause some noise and disturbance.

As such, it is not considered that the proposed development would be acceptable in terms of noise and suitable mitigation measures are not able to be applied.

As such, the proposal is considered contrary to Policy EN16 and CC8 of the Reading Borough Local Plan (2019).

5) Transport

The RBC Transport Officer noted that the submitted plans show half the number of vehicles on site being accommodated compared to the existing situation. Although the application states that there would be no change to the current operation it is unclear where the other vehicles would be parked. Therefore, there is insufficient information to assess the proposal in this respect.

In addition it has not been demonstrated how vehicles would manoeuvre on site. The proposal is therefore not satisfactory with respect to Policy TR3 and TR5.

A comment was also received in relation to concerns that the site would be opened up to larger vehicles. Had the scheme been acceptable, further details would have been required on the type of vehicles entering the site, to combat this concern.

6) Other Matters:

(a) Air Quality

Air quality was raised through neighbour consultation. It is unlikely that the proposed scheme would create any significant differing effect to that at present. Air Quality was not an issue raised by the Environmental Health Officer when assessing the proposal. It is recommended that these concerns are forwarded to the Environmental Health department directly on this matter as the site is located within an Air Quality Management Area.

Conclusion

To conclude, the site does not have a lawful use to carry out business operations, and therefore development related to this unauthorised use is not supported. Despite this matter, the development itself is not considered acceptable in terms of its impact on neighbouring properties by way of its

overall design. In addition, the development would result in an unacceptable noise level to neighbouring residents due to mitigation measures being considered unacceptable. There is also insufficient information to determine transport related impacts. When applying a critical planning balance it is considered that these harmful impacts, as identified in the appraisal above, outweigh any benefits of the proposal.

Recommendation

REFUSE planning permission for the following reasons:

1. The proposed development through its overall scale (height, depth and width) would be out of keeping with the built form of the surrounding residential area, and this, in addition to the proposed materials, would not create a positive addition to the character and appearance of the area contrary to Policy CC7 of the Reading Borough Local Plan (2019).
2. Due to the overall scale of the proposed building it is considered that there would be harm in terms of outlook and loss of privacy for neighbouring properties, specifically 353 and 355 Basingstoke Road. Its excessive height and depth in close proximity to the boundary with no. 353's rear garden would also be visually dominant and overbearing. The proposal is therefore considered contrary to Policy CC8 of the Reading Borough Local Plan (2019).
3. The proposed development would generate a harmful level of noise pollution to the surrounding residential area, which could not be adequately mitigated, and as such would be contrary to Policy EN16 and CC8 of the Reading Borough Local Plan (2019).
4. The proposed layout fails to demonstrate that it would comply with the Local Planning Authority's standards in respect of vehicle parking. This could result in on-street parking/reversing movements on B3031 Basingstoke Road, adversely affecting road safety and the flow of traffic, and in conflict with Policies TR3 and TR5 of the Reading Borough Local Plan (2019).

Informatives

1. The Council, in reaching its recommendation, has taken into consideration the following plans & documents:

Drawing No.:

PL-01 Rev A - Location Plan
PL-03 Rev A - Existing and Proposed Block Plan
PL-04 Rev A - Existing Elevations

PL-05 Rev B - Proposed Site Plan
PL-06 Rev A - Proposed Plans
PL-07 Rev A - Proposed Elevations
PL-08 Rev A - Proposed Sections
PL-09 Rev A - 3D Images
Google Image
Letter dated 17th May 2019
Planning Statement dated 26-05-19

Received 4th June 2019.

2. The local planning authority has worked positively and proactively with the applicant to inform them of the issues this application presented. The applicant was informed that the application would be refused if not withdrawn, however the applicant did not wish to withdraw the application.

3. 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