

DELEGATED HOUSEHOLDER APPLICATION REPORT

Ward: Kentwood
App Ref: 200533
Address: "The Gables," 80 Oak Tree Road, Reading, RG31 6JY
Proposal: Replacement and realignment of existing gravel driveway and parking areas to the front and side of the house with impermeable paving blocks and slabs. Erection of a summerhouse in the rear garden on land that is currently occupied by lawn, hedging and a tree.

Case Officer: Mr James Schofield
Applicant: Mr Mark Silcock
Date received (valid from): 6 May 2020
Target Decision date: 26 June 2020

1. SITE DESCRIPTION

The application relates to a detached dwelling on Oak Tree Road. The site enjoys a spacious garden typical of the immediate context. The site is not in a Conservation Area and no trees on site enjoy tree protection orders.

2. PROPOSED DEVELOPMENT

The proposed development is for the construction of a single-storey outbuilding in the rear garden and new paving. Plans considered;

Location Plan
Proposed Block Plan
Existing Block Plan
Proposed Summerhouse Elevations
Existing Drive and Paving Plan
Proposed Drive and Paving Plan
Tree and Hedge Schedule
As received 7th of April 2020

Proposed Drive and Paving Plan Version 2 (Landscape Plan)
As received 13th of May 2020

3. PLANNING HISTORY

None relevant.

4. CONSULTATIONS

Neighbours

All adjoining neighbours were consulted by letter receiving one objection letter from a neighbour asking that the development;

- not take place during the nesting season due to the presence of Greater Spotted and Green Woodpeckers, and
- concerns about new paving, a fence and loss of the hedge on a shared property line have led to a fear of resultant property damage.

The biodiversity point is well taken and will be discussed in section 7.4 of the appraisal. Concerns relating to property damage, while appreciated as important matters, are outside the purview of the planning system; appearing instead to be civil law matters.

Natural Environment

Officers initially raised concerns about the type of impermeable paving proposed and the detrimental impact it could have on the root networks of established trees.

5. EQUALITY ACT 2010:

In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. There has been an indication that a member of one of the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this planning application. Therefore, in terms of the key equalities protected characteristics it is considered necessary to assess if the local development plan adequately avoids the causing any significant adverse impacts. It is determined that local policy seeks explicitly to take these needs into account wherever feasible, and in this case, Policy H9 is considered to be compliant with the Equality Act 2010 by virtue of offering special consideration and additional latitude in terms of a wider array of amenity provision in the case of annexes in order to empower protected groups to live more independently and or meet other identified needs where possible.

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'.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

The following local and national planning policy and guidance is relevant to this application:

National Planning Policy

National Planning Policy Framework (2019)

National Planning Practice Guidance

Reading Borough Local Plan (adopted 2019)

CC7: Design and the Public Realm

CC8: Safeguarding Amenity

EN12: Biodiversity and the Green Network

EN18: Flooding and Sustainable Drainage Systems

H9: House Extensions and Ancillary Accommodation

TR3: Access, Traffic and Highway-related Matters

SPG/SPD

7. APPRAISAL

7.1 Principle of development

The application seeks permission to build a single-storey outbuilding in the rear garden for use as a summerhouse, and new paving for the driveway. Such domestic works are supported in principle by Policy H9 of Reading Borough Local Plan (2019) subject to a number of criteria ensuring the effects of such works are not harmful. Other considerations will be considered in more detail in the following sections.

7.2 Scale, appearance and design

Policy H9 'House extension and ancillary accommodation' states that: *"an extension to a house or other householder development will be acceptable where it:*

- *Respects the character and appearance of the house in terms of scale, location, materials and design;*
- *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;*
- *Does not present an overbearing impact on neighbours or a large blank façade to public areas; and*
- *Does not result in a loss of biodiversity within gardens"*

The scale, siting and design of the outbuilding are deemed to respect the character and appearance of the main dwelling and the pattern of neighbouring properties within the immediate context.

The proposed paving and soakaway are considered to propose materials appropriate for the site.

As such, the proposal is considered to be in accordance with CC7 (Design and the Public Realm), CC8 (Safeguarding amenity) and H8 (House Extensions and Ancillary Accommodation) of the Reading Borough Local Plan (2019) and the Council's Supplementary Planning Guidance "A Design Guide to House Extensions" (2003).

7.3 Safeguarding Amenity

Policy CC8: Safeguarding Amenity states that alterations to a dwelling and its landscaping will be acceptable where it will not cause a significant detrimental impact to the living environment of existing or new residential properties.

To assess this, the following has been considered - would the proposal cause a significant detrimental impact to the living environment of existing or new residential properties in terms of:

- Privacy and overlooking; **NO, due to the limited height of the outbuilding and lack of windows relevant to adjacent sites.**
- Access to sunlight and daylight; **NO, see above.**
- Visual dominance and overbearing effects of a development; **NO, see above.**
- Noise and disturbance; **NO**
- Artificial lighting; **NO**
- Vibration; **NO**

- Dust and fumes; **NO**
- Smell; **NO**
- Crime and safety. **NO**

Subsequent to the above analysis, in this instance and based on the sites individual circumstances, the proposed development is deemed to accord with Policy CC8 and the overbearingness considerations of Policy H9.

7.4 Biodiversity and sustainability

Part 'b' of Policy EN12 indicates that all development sites should not result in a net loss of biodiversity or geodiversity, and should provide a net gain for biodiversity wherever possible through new tree planting, wildlife friendly landscaping and other ecological enhancements. These aims are supported by Policy H9 which states that an extension will only be acceptable where it does not result in the loss of biodiversity within gardens.

The objection raised the possibility that woodpeckers are present within the tree proposed to be lost. And a request that the tree not be removed until after nesting season was made by the objector who indicated they are a Zoologist. Reviewing information available on the [Great Spotted](#) and [Green Woodpeckers](#) on garden-birds.co.uk it seems that nesting should be complete for both species between the end of June and August. The [Arboricultural Association](#) indicates vegetation works (tree or hedge cutting) should be done outside of this time period. It is also noted that the *Wildlife and Countryside Act 1981* prohibits contractors or householders from removing trees where nesting birds are present. Because no ecological or Arboricultural survey of the site has taken place it is considered reasonable and sufficient to include an informative reminding the applicant of the legislation pertaining to the disturbance or harming of nesting birds - and to encourage them to not proceed with felling the tree until August.

Regarding the loss of the tree itself, the Trees Officer had no objections to the loss of the specific tree in question. However, there were concerns relating to harm to the root areas of other mature trees on site due to the nature of the impermeable paving initially proposed. Revised proposals included the planting of three new trees ensuring a net increase in the number of trees on site in total and a change in the type of paving used closest to established trees to permeable paving.

In light of the above, the proposal is not considered likely to result in a net loss of biodiversity or geodiversity. As such the proposal is considered to accord with the biodiversity and sustainability considerations of Policies H9 and EN12 of the local plan.

7.5 Parking and Hard-surfacing

Policy TR3 indicates proposed development will accord with the most up-to-date objectives of the Local Transport Plan, comply with the adopted standards of the Transport Authority and refrain from having a material detrimental impact on the function of the transport network.

It is acknowledged that both the existing and proposed parking area is well above the two-space maximum identified in the parking standards of the adopted parking strategy. However, the proposed changes to the drive are not considered to alter the amount or location of existing parking offered by the site. As such, the proposal is not considered to relate to the principle of the parking plan itself - but rather to the change in design of an existing one. The introduction of large swathes of impermeable surfacing as originally proposed was discussed with the applicant in light of Policy EN18 (Flooding and Sustainable Drainage Systems) leading to a subsequent amendment to the proposal where the applicant indicated they would use permeable paving where

practical and introduce a new soakaway where it was not. These changes are considered to make the proposal acceptable in terms of the requirements of Policy EN18.

Furthermore, it is considered necessary to include a condition requiring the removal of permitted development rights for hard standing to ensure that any future changes to the parking and drainage plans of this site can properly consider;

- the Borough's transport strategy as per the requirements of Policy TR3 of the Local Plan (2019), and
- limiting the capacity for sites like these to introduce novel paving detrimental to the sustainability of the urban drainage network as per the requirements of Policy EN18 of the Local Plan (2019).

8. CONCLUSION

In light of the above assessment the proposal is considered to accord with the requirements of the development plan and is therefore recommended for approval subject conditions.

9. RECOMMENDATION

GRANT

10. CONDITIONS

1. Standard time limit (TL1)
2. Standard approved plans (AP1)
3. Materials as specified (M3)
4. Hardstanding PD rights removed