

DELEGATED HOUSEHOLDER APPLICATION REPORT

Ward: Church

App Ref: 200892/HOU

Address: 9 Devonshire Park, Reading, RG2 7DX

Proposals: Insertion of enlarged window on east (side) elevation and new window on west (side) elevation (both obscure glazed) and two Juliet balconies on north (rear) elevation (all at first floor level)

Case Officer: Mr David Brett

Applicant: Mr & Mrs Heslington

Date received (valid from): 25/06/2020

Target Decision date: 20/08/2020

1. INTRODUCTION

The proposal site is a two-storey detached dwelling on Devonshire Park. The surrounding area is predominantly residential and consists of similarly designed two storey semi-detached dwellings.

A site visit for this application was not possible due to the Coronavirus lockdown. The applicant supplied site photos on 01/07/2020. These photos were used for the purpose of determining this application.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposed development is for the insertion of two side facing windows with obscured glazing, and two rear facing Juliet balconies.

Plans considered:

- Existing Floor Plans - 20-384-001
- Existing Elevations - 20-384-002
- Proposed Floor Plans - 20-384-003
- Proposed Elevations - 20-384-004
- Location & Site Plans - 20-384-005

Received on 25/06/2020

3. RELEVANT PLANNING HISTORY

None.

4. CONSULTATIONS

4.1 *The following addresses were consulted by letter.*

8 Devonshire Park, Reading, RG2 7DX - No consultation response received.

10 Devonshire Park, Reading, RG2 7DX - No consultation response received.

Reading Borough Council, Natural Environment Officer - Response received on 15/07/2020

- Trees within Devonshire Park are protected under Tree Preservation Order 42/07. The proposed works to install new windows and application will not require any increase in property footprint. As a fairly low-intensity build I do not foresee any harm to the trees on or adjacent to the site as a result of the works.

A site notice was displayed from 3rd July 2020, expiring on 24th July 2020 - no responses have been received.

5. 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.

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

National Policy

National Planning Policy Framework
National Planning Practice Guidance

Reading Borough Local Plan (Adopted November 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

7. APPRAISAL

7.1 *House Extensions and Ancillary Accommodation*

In accordance with Reading Borough Local Plan policy H9: House Extensions and Ancillary Accommodation, house extension proposals are acceptable where it:

- *Respects the character and appearance of the house in terms of scale and locations.*
- *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.*

The proposed development involves converting two existing rear facing window openings to Juliet balconies. A larger first floor window replacing an east facing side window, and an additional opening to the west facing first floor side elevation. Both first floor side elevation windows serve bathrooms (one existing and one proposed), as a result, it has been specified within the plans and application description that these windows will be obscure glazed (this will be secured via condition). Materials used in the development have been specified to match existing (again, this will be secured via condition).

Overall, the proposed development is not considered to harm the character and appearance of the existing dwelling and is considered acceptable in terms of size, scale, design and materials.

- *Does not result in a loss of biodiversity within gardens.*

It is not considered that the proposal would result in a loss of biodiversity within the garden to the point of refusal for this application.

7.2 *Safeguarding Amenity*

This proposal has also been assessed against Reading Borough Local Plan policy CC8: Safeguarding Amenity, which states that proposals are acceptable where they will not cause a detrimental impact on the living environment of existing residential properties with regard to:

- *Privacy and overlooking*
- *Access to sunlight and daylight*
- *Visual dominance and overbearing effects of a development*
- *Harm to outlook*

The proposed development is not considered to harm the living conditions of neighbouring residents 8 or 10 Devonshire Park or the surrounding area and is considered acceptable in accordance with policy CC8 of the Reading Borough Local Plan (2019). First floor side facing windows will serve bathrooms and will be obscure glazed, as a result there is no concern that the openings would result in overlooking to neighbouring properties. The two proposed Juliet balconies are to replace existing large rear facing first floor windows. It is also considered that the Juliet balconies would not result in harmful overlooking to neighbouring properties.

8. CONCLUSION

The proposed development has been assessed and the proposed works are considered to be in accordance with the above relevant policies and planning permission can be granted.

9. RECOMMENDATION

GRANT

10. CONDITIONS

TL1: Time Limit (Standard)

The development hereby permitted shall begin no later than three years from the date of this planning permission.

REASON: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

AP1: Approved Plans

The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

Plans considered:

- Proposed Floor Plans - 20-384-003
- Proposed Elevations - 20-384-004
- Location & Site Plans - 20-384-005

Received on 25/06/2020

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

M3: Materials (As Specified)

The materials to be used in the construction of the external surfaces of this development shall be as specified on the plans and/or application forms unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with policies CC7 and H9 of the Reading Borough Local Plan 2019.

PD3: Obscure Glazing

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed first floor east and west (side) elevation windows shall be glazed with obscure glass before the completion of the development hereby approved and shall be permanently maintained as such.

REASON: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

11. INFORMATIVES

IF1: Positive and Proactive Working - approval

The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target timescale for the decision to be issued.

IF5: Terms

Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.

IF6: Building Control

Your attention is drawn to the possible requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.

IF7: Complaints about construction

Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.

IF8: Encroachment

During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at: www.communities.gov.uk/publications/planningandbuilding/partywall

Trees within Devonshire Park are protected under Tree Preservation Order 42/07. In order to ensure that trees are not harmed during the course of the permitted works, the applicant should ensure that there is no parking, storage or preparation of materials on the lawn and other areas of soft landscaping at the front of the property, temporary or otherwise, at any time during the course of the building works. Allowing works to encroach onto the lawn area can cause damage to tree roots in contravention of the Tree Preservation Order'