

Ward: Peppard

App Ref: 191601/FUL

Address: 4 Woods Road, Caversham, Reading, RG4 6NA

Proposals: Demolition of property at No5 Woods Rd, form access 2no new Detached dwellings

Case Officer: Anthony Scholes

Applicant: Mr John Brown C/o Dave Crowdy (Agent)

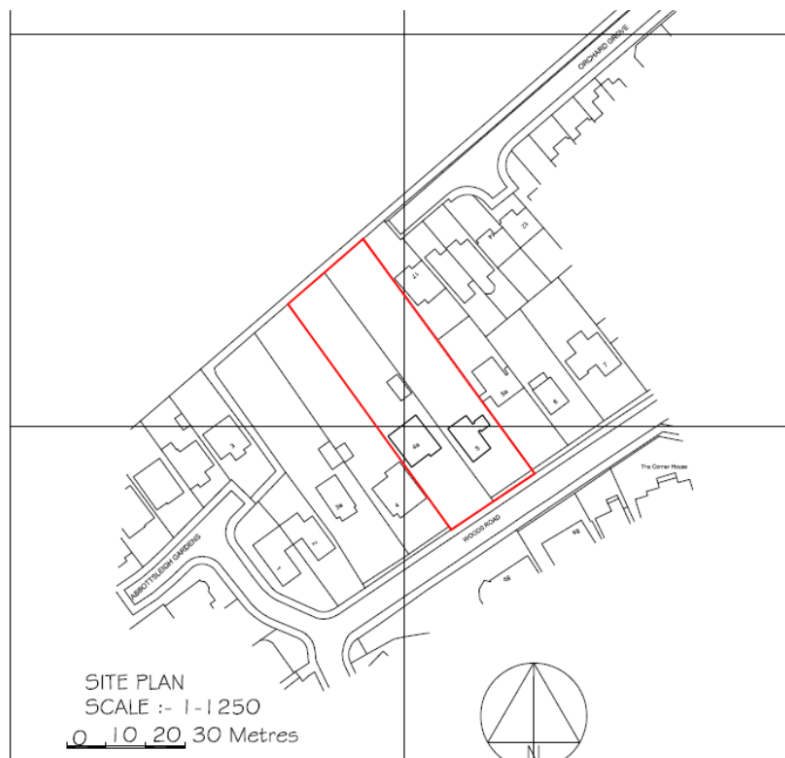
Date received (valid from): 7 October 2019

Target Decision date (extension of time: 12/3/2020

INTRODUCTION

The site is formed of 2 existing residential plots 4A and 5 Woods Road each containing one detached dwelling orientated towards Woods Road with linear rear gardens at a depth in excess of 40m. The site also contains mature vegetation and an existing Oak Tree on the boundary of 4 and 4a Woods Road which is subject to Tree Preservation Order TPO 13/18.

The adjacent plots, to the west, at No 4 and 3a Woods Road have a similar layout to the application site. Additionally to the west new residential development has been erected in the form of Abbotsleigh Gardens accessed from the south from Woods Road. However to the east of the application site the original plots have been subdivided and new residential development has been erected orientated toward and accessed from the north, via the new residential street at Orchard Grove. These units therefore have a 'back to back' relationship with the original dwellings fronting Woods Road. See plan below:



PROPOSAL

The proposal is for the demolition of the existing dwelling at No5 Woods Road which will be replaced with a 5.0m wide access to the rear of the site. The existing dwelling at No 4A will be retained. The proposed access will be provided to serve a pair of detached two storey dwellings to the rear of the site orientated, towards Woods Road. Also proposed is a new detached single carport in front of proposed plot #3.

The application has been submitted with the following plans and documents:

Document	Title	Drawing Number	Date Received
Site Plan	Two 4 bedroom semi-detached dwellings	N/A	7 October 2020
Block Plan	New Dwellings	Block Plan	7 October 2020
Floor plans - Second and roof	4 Bedroomed detached dwelling	2_03	7 October 2020
Garage Plans - floor and elevation	Detached garage	Gar_01	7 October 2020
Floor plans - first and ground	4 bedroom detached dwelling	3_02	7 October 2020
Elevations	4 Bedroomed detached dwelling	3_01	7 October 2020
Elevations	4 bedroomed detached dwelling	2_01	7 October 2020
Floor plans - ground and first	4 bedroomed detached dwelling	2_02	7 October 2020
Floor plans - second and roof	4 bedroomed detached dwelling	3_03	7 October 2020
Topographical survey	Topographical survey	360G/19015T/100	7 October 2020
Design and access statement	Planning, Design & Access Statement	N/A	7 October 2020
Arboricultural report	Arboricultural impact assessment July 2019	N/A	7 October 2020
Supplementary document	Preliminary roost assessment	R2426/a	6 December 2019

RELEVANT POLICIES AND SUPPLEMENTARY PLANNING GUIDANCE

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'. In this regard, 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). The Council's adopted Supplementary Planning Guidance and Supplementary Planning Documents are also material planning considerations.

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

Reading Borough Local Plan (2019):

CC6: Accessibility and The Intensity of Development

CC7: Design and The Public Realm

CC8: Safeguarding Amenity

CC9: Securing Infrastructure

EN12: Biodiversity and The Green Network

EN13: Major Landscape Features and Areas of Outstanding Natural Beauty

EN14: Trees, Hedges and Woodland

H3: Affordable Housing

H5: Standards for New Housing

H10: Private And Communal Outdoor Space

H11: Development Of Private Residential Gardens

TR3: Access, Traffic And Highway-Related Matters

TR5: Car And Cycle Parking And Electric Vehicle Charging

Supplementary Planning Guidance

SPG - Planning Obligations under s.106 of the Town & Country Planning Act 1990 (2013)

SPD - Sustainable Design and Construction (2019)

SPD - Parking Standards and Design SPD (2011)

SPD - Affordable Housing Provision (adopted 2013)

RESPONSE TO PUBLICITY (REPRESENTATIONS RECEIVED)

Letters were sent to neighbouring residents:

Letters of representation have been received as follows:

1 letter of objection on the following grounds:

- Relationship to existing dwellings as the proposed development is piecemeal, and would prejudice the satisfactory development of the wider area;
- Design is not in keeping due to the introduction of a new access road and would appear cramped within the plot;
- Detrimental impact on residential amenity: insufficient provision of amenity space, overlooking and impacts on surrounding properties.

CONSULTATION RESPONSES

Environmental Protection: No objection subject to conditions relating to: control of noise and dust; hours of working; and restriction on burning of green waste.

Ecologist: The house has a number of features potentially suitable for use by roosting bats and further surveys would need to be undertaken to confirm if the building hosts a bat roost. The application should not be determined until the surveys have been carried out and the results submitted to the council. If this information is not provided, the application would need to be refused on the grounds that insufficient information has been provided for the council to determine the likely impact of the proposals upon bats, which are a protected species and material consideration in the planning process.

Tree Officer: This revised planning application for two new dwellings is a significant improvement from earlier application 181573 for four new dwellings on site. This later application allows for a reasonable garden area for plot 2 around the constraints of the protected Oak. It is recognised that due to the position of the tree in relation to the property and garden, that much of the garden will still be shaded for much of the day, however, areas of the garden exist which will not be directly under the canopy of the tree and are therefore considered useable.

Broad landscaped beds either side of the access drive can be used for additional new tree planting in order to mitigate the loss of canopy cover as a result of the trees tree removal in order to facilitate the build. A suitable scheme of landscaping will be required and this will include additional soft landscaping to the front of the new residential properties.

In view of this the application is considered to be acceptable in tree / landscape terms. Please attach the necessary tree / landscape conditions (L1, L3, L5, L7) if planning permission is granted. The applicant is advised that any new fencing where proposed around the site will need to include access holes for hedgehogs and other small creatures to be able to access and forage in the gardens.

Transport: The access and parking provision are considered acceptable subject to conditions to ensure these are constructed and maintained in accordance with the details provided. It is recommended that the access be offered as highways land to ensure unimpeded access to the wider development of the area.

PLANNING HISTORY

4A Woods Road

181573/FUL Erect 1 pair of semi-detached & 1 no detached dwelling at rear of 4a and 5 Woods Road. Demolish No 5 Woods Road & replace with new detached dwelling. Provide new access. REFUSED 6/3/2019 APPEAL: APP/E0345/W/19/3224844 - DISMISSED 14/8/2019

140311/FUL Change of use of ground floor back to residential use from Day Nursery. Permitted 15/5/2014

991565/FUL Change of Use of Ground Floor to Day Nursery (D1permitted 10/11/1999)

900049/FUL Proposed four bedroom house with detached single garage. Permit 19/7/1990

4 Woods Road

190613/HOU - Erection of garage APPROVED 24/5/2019

5 Woods Road

890046/FUL ERECTION OF ONE 3-BEDROOM DETACHED DWELLING AND GARAGE permitted 16/3/1989

Land to the rear of 5a and 6 Woods Road

06 0439 Proposed erection of 3 houses with access from Orchard Grove permitted 2/2/2007

SUMMARY OF DISCUSSIONS WITH APPLICANT/AGENT

The applicant was advised at a meeting on 19th February 2020 that the scheme was unacceptable in relation to the layout and impact on character and appearance of the area, and therefore would be recommended for refusal. No further information has been submitted and the applicant has confirmed they wish the scheme to be determined.

APPRAISAL

The main issues raised by the application are:

1. Principle of development
2. Impact on the character of the area and comprehensive development
3. Residential amenity
4. Transport matters
5. Tree and Ecology Matters
6. Other matters including S106

1. Principle of development

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 than previously developed land should be the first choice for housing development.

The development site is located within 400m of high frequency transport routes servicing Reading Town Centre. In accordance with Policy CC6 - Accessibility and the Intensity of Development states that “The scale and density of development will be related to its level of accessibility by walking, cycling and public transport to a range of services and facilities”. Accordingly, the increase in density could be supported in principle, subject to meeting the requirements as set out under the Reading Borough Local Plan 2019 and Supplementary Planning Documents.

Therefore, the principle of the redevelopment of the site for further residential development could be acceptable subject to the above criteria and following other material planning considerations.

2. Impact on the character of the area and comprehensive development

The main policies to be considered are CC7 'Design and the Public Realm' and Policy H11 'Development of Private Residential Gardens'. Policy H11 requires that new residential development that involves land within the curtilage or the former curtilage of private residential gardens will be acceptable where:

- 1) "The proposal makes a positive contribution to the character of the area in terms of:
 - The relationship of the existing built form and spaces around buildings within the surrounding area;
 - A layout which integrates with the surrounding area with regard to the built up coverage of each plot, building line(s), rhythm of plot frontages, parking areas, and existing pattern of openings and boundary treatments on the site frontage;
 - Providing appropriate hard and soft landscaping, particularly at site boundaries. This includes features such as the variety of trees, hardstanding/lawns and hedges, etc;
 - Compatibility with the general building height within the surrounding area;
 - The materials and elevational detail. These should be high quality, and where appropriate distinctive and/ or complementary;
 - The arrangement of doors, windows and other principal architectural features and their rhythm between buildings.
- 2) The application site provides a site of adequate size and dimensions to accommodate the development proposed in terms of the setting and spacing around buildings, amenity space, landscaping and space for access roads and parking;
- 3) The proposal includes access, which meets appropriate highway standards;
- 4) The proposal does not lead to tandem development;
- 5) The design and layout minimises exposure of existing private boundaries to public areas, and avoids the need for additional physical security measures;
- 6) The proposal does not cause a significant detrimental impact to the amenity of adjacent and nearby occupants;
- 7) The emphasis is on the provision of family-sized housing;
- 8) The development provides biodiversity net gain wherever possible, and would not have an adverse impact on biodiversity in terms of the fragmentation of blocks of gardens, which as a unit or in association with adjacent green space are deemed to make an important contribution to biodiversity and contribute to the green network; and
- 9) The proposal does not prejudice the satisfactory development of a wider area."

It is considered that the proposed layout within the site would be dominated by hardstanding in the form of the proposed vehicular access from Woods Road. The layout has been dictated by the creation of the new vehicular access into the site which despite addressing the previous appeal comments regarding the lack of potential for soft landscaping, minimises the size of the proposed residential plots contrary to Policy CC7 and H11 of the Reading Borough Local Plan (2019).

The proposed development would represent an inefficient use of the land, and underdevelopment of the plot. Specifically, the proposed development would allocate a large percentage of the development site to hardstanding in lieu of an efficient use of land, contrary to the NPPF (2019) (section 122-123), Policy CC6 'Accessibility and the intensity of development'.

The proposal is therefore considered to be unacceptable tandem development which would be out of keeping with and have a harmful impact to the existing suburban character of the surrounding area.

In terms of the scale and appearance of the proposed dwellings, there is a variety of architectural styles in the area, however Woods Road itself is a mix of bungalows and two-storey dwellings. As the proposed dwellings would not have a presence within the street scene, the design proposed would not be objected to specifically, given that the houses as proposed would generally reflect the surrounding dwellings. The subservient single garage proposed in front of plot (plot 2) is not considered to be harmful to the streetscene due to the setback from Woods Road.

In relation to the matter of comprehensive redevelopment, Policy DM11 seeks that a proposal does not prejudice the satisfactory development of the wider area. In this particular instance, the proposal to include a 42m (approximately) long, 5m wide access (210m²) would significantly limit any future development of the site by virtue of the orientation of the dwellings (facing Woods Road), and requiring this large expanse of hardstanding to be retained indefinitely.

As such, the proposed driveway access' impact on the character and appearance of the area, and the inefficient use of the development of the land would cumulatively make the proposed development fail to meet the policy requirements, and broader objectives of the NPPF, and would be unacceptable.

3. Residential amenity of existing and future occupiers

It is not considered that the proposed dwellings would have a harmful impact on the amenity of existing neighbouring dwellings, due to the positioning of the development in line with the dwellings along Orchard Grove and the distance and position with respect to no.4 Woods Road.

In relation to each of the proposed dwellings within the site the internal layout and room sizes are considered to be acceptable; and the proposed plots are considered to be provided with satisfactory amenity space, given the more recent dwellings in the vicinity tend to have more modest gardens than more established properties.

4. Transport matters

The proposed development seeks a new shared 5m wide access road from Woods Road to serve the proposed dwellings within the site. The proposal includes a separate pedestrian access. It is unlikely that refuse vehicles will venture into the site, therefore, the properties would be required to position bins to the kerb for collection on bin days.

The applicant has allocated sufficient space within the development for bin storage, bicycle storage, and car parking in accordance with the Council's adopted standards (as contained within the SPD). These elements could be secured by condition.

4. Trees and Ecology

In relation to trees and landscaping there are mature trees within and directly adjacent to the site including an Oak tree subject TPO 13/18. Broad landscaped beds either side of the access drive can be used for additional new tree planting in order to mitigate the loss of canopy cover as a result of the trees tree removal in order to facilitate the build. A suitable scheme of landscaping will be required and this will include additional soft landscaping to the front of the new residential properties.

In relation to ecology as set out in the consultee comments above the site there is a risk that the development may affect roosting bats and a emergence survey as requested has not been submitted at this time. All species of bats receive protection under UK law and it is a criminal offence under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (The Habitat Regulations), deliberately or recklessly to destroy or damage their roosts, or to disturb, kill or injure them without first having obtained the relevant licence for derogation from the regulations from the Statutory Nature Conservation Organisation (the SNCO - Natural England in England).

Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System (this document was not revoked by the National Planning Policy Framework) states that: "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted".

In this case because neither the presence or otherwise of protected species, nor the extent to which they may be affected has been established, the application would not be in accordance with Policy EN12 Biodiversity and Geology.

5. Sustainability

The submitted design and access statement references sustainability measures to be incorporated within the development, which is considered to be in line with policy CS1 and the Revised Sustainable Design and Construction SPD (2019). Notwithstanding this, the appropriate level of sustainable construction would be secured via appropriate conditions.

New dwellings with dedicated off-road vehicle parking would be required to provide a minimum of 1 Electric Vehicle (EV) charging point. This would be secured by condition.

6. Infrastructure Provision

S106 Financial Contributions to Affordable Housing

The proposal seeks to create 2 additional dwellings and therefore a contribution towards off-site affordable housing provision is required in accordance with Policy H3 of the Reading Borough SDPD and the Affordable Housing SPD under Section 106 of the Town and Country Planning Act 1990.

The applicant has not agreed the required financial contribution to affordable housing; nor offered any financial appraisal of the proposal to suggest that a contribution sought by the Council would make the scheme unviable. Policy H3 is clear that only in instances where it can be demonstrated through viability evidence that the provision would be unviable will the Council forgo or seek a lower contribution. Therefore at this time a satisfactory sum to meet the requirements of Policy H3 has not been agreed and this therefore forms a reason for refusal.

The Council's affordable housing policies are crucial in seeking to assist the Council in meeting the requirements of the NPPF which state that: "local planning authorities should...use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework,...."

The provision of affordable housing is a major issue in the borough. The borough experiences high levels of need as evidenced by a recent Strategic Housing Market Assessment. Its residents face major issues relating to affordability as a result of high and increasing house prices compared to average local incomes and significant issues in the future supply of affordable housing to meet identified needs.

CIL

The proposal would be a Community Infrastructure Levy (CIL) liable development. The applicant has provided the appropriate CIL Additional Information Form, and refers in the submitted DAS to self build exemption. An informative would be attached to the decision notice to advise the applicant of their responsibilities in this respect.

7. Matters Raised in Representation

All relevant material planning issues raised have been considered in the Appraisal section of this report above.

Equalities Act

In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application. In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

RECOMMENDATION

REFUSE planning permission.

Reasons for refusal:

Character and Appearance

The proposed layout, by virtue of the incongruous vehicular access, with resulting dominance of hardstanding, and the inefficient use of the land, would be harmful to the character and appearance of the area contrary to Policy CC7 (Design and the

Public Realm), Policy H11 (Development of Private Residential Gardens) and H2 (Density and Mix) of the Reading Borough Local Plan (2019).

Ecology

Surveys to establish if the existing building hosts a bat roost, have not been undertaken and submitted and therefore, there is insufficient information provided to the council to determine the likely impact of the proposals upon bats, a protected species. There has therefore, been a failure to demonstrate that the development would protect and maintain existing wildlife habitats for bats and as such the full impact of the proposals on protected species cannot be established. The proposal has therefore, not demonstrated that it would cause no harm to protected species. The proposal is therefore, considered to be contrary to the NPPF and Policy EN12 (Biodiversity and The Green Network) of the Reading Borough Local Plan (2019).

Affordable housing

In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, either on- site, off-site elsewhere within the Borough or a suitable financial contribution, as appropriate, the proposal fails to contribute adequately to the housing needs of Reading Borough, contrary to Policy CC9 (Securing Infrastructure) of the Reading Borough Local Plan 2019 H3 (Affordable Housing) of the Reading Borough Local Plan and the Council's Adopted Affordable Housing Supplementary Planning Document 2013.

Informatives

Plans refused

No pre-application.

Positive and proactive