

DELEGATED APPLICATION REPORT

Address: 65 Peppard Road

Application No: 181392 / HOU

Proposal: Proposed 2 storey rear extension. Proposed one and a half storey side extension following demolition of existing garage. Proposed new porch (incorporating existing porch roof).

Applicant: Mr & Mrs S Emery

Date received (valid from): 08/08/2018

Target Decision date: 03/10/2018

Agreed Extension of Time: 06/02/2019

Case officer: Tom French

1. Site description and Surrounding Area

The application site contains a large, two storey detached dwelling on the western side of Peppard Road. The dwelling is set within a spacious plot and the levels of the site slope upwards from Peppard Road. There are several trees on the site, including a TPO Blue Cedar close to the rear boundary. There is also a TPO Beech tree and TPO Lime tree sited just outside the northern boundary of the site, in the rear garden of No.1 Picton Way. Furthermore, there are a number of highway trees located along the site frontage.

The surrounding area is predominantly residential with large detached properties with an open and spacious character, although the neighbouring building (67 Peppard Road) is divided into flats.

The application building is not listed, nor is it located within a conservation area.

2. The Proposal

A householder planning permission is sought for a two storey side and rear extension. It is proposed that the existing single storey attached garage would be demolished and a two storey side extension, projecting 5.9m from the existing side elevation of the main house. As existing, the rear of the main house is stepped and the proposed extension would not be. As such the proposed rear extension would project 2.8m beyond the rear of the existing dining room, 5m beyond the rear elevation of the lounge and 6m beyond the rear of the existing kitchen.

3. Consultation

Neighbours consultation:

No.s 61 & 67 Peppard Road and 73, 74, 75 & 76 Balmore Drive have been notified of the application and a site notice has also been displayed at the site from the 14th August 2018. No responses have been received.

Transport

The RBC Transport Development Control Advisor has provided the following consultation response:

Plans indicate that a new garage is to be provided following the demolition of the existing one. The Councils current adopted standards recommend that the internal dimensions of a single garage are 7m long x 3m wide. Garage illustrated on submitted plan does not conform to standards. Although no further parking has been illustrated aerial images confirm that additional on-site parking is available for a minimum of 2 vehicles. In addition to this, the new garage is comparable in size to the existing and therefore deemed acceptable.

IF3 Highways

i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.

ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.

I24 Do not damage the verge

You are advised to avoid the use of the grass verges for development related activity, e.g. storage of materials, due to the resulting potential harm to important street trees.

Natural Environment

The RBC Natural Environment Officer has advised that the site is subject to TPO79/08, however this only includes the Blue Cedar towards the rear of the site which should not be affected by the proposals.

Ecology

The RBC Ecology Consultants provided the following consultation response:

The application site comprises a detached house where it is proposed to erect a two-storey rear extension, a one and a half storey side extension and a new porch (incorporating the existing porch roof), and to demolish the existing garage. The site is surrounded by habitat of good suitability for use by foraging and commuting bats - large connected garden with scattered trees and groups of trees and broadleaved woodland and grassland areas 241m west.

Considering the location of the house, the extent of the works and the fact that the proposals will affect the roof, there is a risk that the proposals may affect roosting bats and a bat survey report will need to be provided before this application is determined. Further details are given below.

Legislation

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).

Planning policy

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 the above planning policy, or other planning policy in relation to biodiversity.

Survey requirements

A presence / absence bat survey is normally undertaken in two stages, firstly a preliminary roost assessment, whereby the inside and outside of the building is surveyed for bats and signs of bats. This survey can be undertaken at any time of year.

If bats are found or features within the building have the potential to support roosting bats and these will be affected by the proposals, further dusk emergence and or pre-dawn re-entry surveys during the bat active season (i.e. between May and the end of August/ sub optimally until mid-October) would need to be carried out. The applicant would then need to submit the results of the survey(s) along with any associated mitigation strategy prior to determination of the application.

Surveys should be carried out by suitably experienced ecologists who are a member of a professional organisation such as the Chartered Institute of Ecology and Environmental Management and / or are licensed or accredited by Natural England to survey bats.

Summary

The house may host roosting bats and to confirm whether this is the case, and if so how bats will be affected by the proposals, a bat survey will need to be carried out. The survey will need to be carried out prior to determination of the application or the application would need to be refused on the grounds that insufficient evidence had been provided to determine the likely impacts of the proposals on bats (which are a protected species and a material consideration in the planning process).

Following this consultation response a preliminary roost assessment (PRA) was submitted to the LPA on 16/10/2018. The RBC Ecology Consultant provided the following comments regarding the PRA:

Thank you for sending through the ecology survey report (Brindle & Green Ecological Consultants, October 2018) which is discussed below.

The report reads:

"The garage was identified as having limited suitability to support roosting bats. The void of the garage and the adjoining residential dwelling were searched internally, and supported no evidence of bat presence or access points into the void, however the presence of PRFs on the exterior of the building, principally under roof tiles provide opportunities for roosting bats. To confidently determine if bats species a search for bat evidence using an endoscope should be completed before works commence. The recommendations section of this report sets out important guidance on measures to avoid impacts on this species and measures to support its conservation status through ecological enhancement."

i.e. at present it is not known whether or not the building hosts a bat roost and if it does how it will be affected by the proposals.

As such, in accordance with Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System (this document has not been revoked by the National Planning Policy Framework) which 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."

the application could not be determined until the survey detailed above has been completed. The survey will need to be carried out, and a report submitted to the council prior to determination of the application or the application would need to be refused on the grounds that insufficient evidence had been provided to determine the likely impacts of the proposals on bats (which are a protected species and a material consideration in the planning process).

The report also states that inactive bird nests were found in the garage and elsewhere. As such, should the above issue be resolved, an informative should be added (wording below) in relation to nesting birds.

Informative: All birds, their nests and eggs, are protected by law. It is a criminal offence (with certain exemptions) to deliberately or recklessly take, damage or destroy the nest

of any wild bird whilst it is in use or being built. The buildings and vegetation on the site are likely to be used by nesting birds and any works to buildings with bird nests or vegetation clearance should take place outside the bird nesting season (March - August inclusive). If this is not practicable areas to be cleared should first be checked for bird nests by an appropriately qualified person. If bird nests are found works that could disturb it must stop until any young have fledged the nest.

As a result the applicant commissioned an endoscope and the report was submitted to the LPA 08/01/2019. The RBC Ecology Consultant has confirmed that sufficient information has been submitted to overcome any ecological objection to the application, subject to Informative.

4. Plans and Documents Considered

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

Drawing No.:

- 18-074/ED1
- 18-074/ED2
- 18-074/PD1
- 18-074/PD2
- 18-074/SP1
- 18-074/LP1

As received: 08/08/2018

- Preliminary Roost Assessment (Brindle & Green Ecological Consultants, October 2018)

As received: 16/10/2018

- Bat Survey (Endoscope Inspection) - 65 Peppard Road, Caversham, Reading, RG4 8NH (windrush ecology.com, 7th January 2019)

As received: 08/01/2019

- 18-074/CIL1

As received: 04/02/2018

5. Relevant Planning History

980429 - FUL - Erection of three bedroom bungalow to the rear of 65 Peppard Rd - Application Permitted

031183 - FUL - Erection of a three bedroom bungalow to the rear of 65 Peppard Road - Application Permitted

050760 - FUL - Two chalet bungalows on land to the rear of 65 Peppard Road - Application Refused

061294 - FUL - Two chalet bungalows on land to the rear of 65 Peppard Road - Permitted Subject to Legal Agreement

100183 - FUL - Two chalet bungalows on land to the rear of 65 Peppard Road without complying with Condition 1 of Planning Permission 06/00820/FUL - Application Refused

111193 - FUL - Two new dwellings - Application Refused

150546 - FUL - Erection of two detached houses - Application Refused

160527 - FUL - Erection of detached 2 houses. Resubmission of 150546 - Application Refused

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 Development Framework '*Core Strategy*' 2008 (Altered 2015) and '*Sites and Detailed Policies Document*' 2012 (Altered 2015).

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) (Core Strategy and Sites and Detailed Policies Document) 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

The application has been assessed against the following policies:

National

National Planning Policy Framework;

National Planning Policy Guidance;

RBC Local Development Framework

Core Strategy 2008 (Altered 2015)

- CS7 Design and the Public Realm
- CS24 Car/Cycle Parking
- CS36 Biodiversity and Geology
- CS38 Tress, Hedges and Woodlands

Sites and Detailed Policies Document 2012 (Altered 2015)

- DM4 (Safeguarding Amenity)
- DM9 (House Extensions and Ancillary Accommodation)
- DM10 (Amenity Space)
- DM12 (Access, Traffic and Highway-Related Matters)
- Supplementary Planning Guidance - A Design Guide to House Extensions (2003)

9. Appraisal

Design, impact on the host dwelling, character of the area and street scene

Considering the existing scale and massing of the host building, attached garage and the neighbouring flats at 67 Peppard Road, the proposed extension would not be significantly out of character with the host dwelling or surrounding area. The proposal would be set off the common boundary with no.67 by 1m at the front elevation, increasing to 3.5m at the rear elevation, and therefore would retain the spacious character of the application site and not appear unduly cramped. No. 67 is also significantly set back from the common boundary and it is considered that sufficient gapping between the properties would be retained to protect the character and pattern of the street scene and prevent visual terracing, in accordance with the Supplementary Planning Guidance - A Design Guide to House Extensions.

The proposed side extension would be less than half the width of the existing dwelling, set down from the main ridgeline of the roof by 1.2m and set back from the existing front elevation by 0.8m (1.6m from the existing front elevation of the porch). As such the proposal would appear subservient to the existing dwelling and made with materials to match existing, is considered to integrate satisfactorily with the character of the host dwelling and visual amenity of the surrounding area.

The rear element of the proposed extension would have a projecting gabled roof form with a pitch to match the existing roof. The proposal would also project a relatively modest 2.8m beyond the rear of the existing dining room and made with brick to match existing is considered to respect the character of the existing house in terms of scale, materials and design.

The host dwelling would retain sufficient amenity space to the rear elevation, which is considered adequate for a dwelling of this size and relative to the character of amenity spaces to surrounding dwellings.

The proposal would accord with Policies CS7, DM9 and DM10.

Impact on neighbouring amenity

The neighbouring properties potentially affected by the proposed development are 61 and 67 Peppard Road, located to the south and north of the application site respectively.

With regards to no.61, the proposed extension would project a modest 2.8m beyond the existing rear elevation to the south of the application property. It would also be separated from the boundary by a distance of 13.3m. As such it is considered that the proposed development would not have any significant adverse effects in terms of loss of light or overbearing. Whilst an additional south side facing window is proposed, it would be located at ground floor level. Combining this with the significant gap to the boundary and considering the existing boundary treatment; it is not considered that the proposal would result in any detrimental impact in terms of privacy or overlooking.

With respect to the flats no.67, the proposed extension would have a minimum separation distance of 1m from the common boundary and would be located to the south of no.67. However no.67 is set off the common boundary by approximately 7m and the proposed development would not project beyond the rear of no.67. Further, as a result of the orientation of the application property and no.67 in their respective plots, the proposed extension and no.67 are angled away from each other; reducing the impact of the proposal. As such it is considered, on balance, that the proposal would not have any significant overbearing impacts or result in a significant loss of light for the current or future occupiers of no.67.

Whilst an additional north side facing window is proposed, it would be at ground floor level and is not considered to have a significant detrimental impact on the amenity of no.67 in terms of privacy or overlooking.

The proposal would accord with Policy DM4.

Other Issues

Community Infrastructure Levy

The proposal would be liable for the Community Infrastructure Levy (CIL). The estimated increase in floorspace that would result from the proposed extension is 205m² (as calculated by the agent and indicated on the CIL form). The CIL residential rate is £148.24/m². As such the applicant would be liable to pay £30389.20. It is recognised that the applicant has applied for a self-build residential extension exemption that may result in an exemption to this CIL liability (which will be progressed separately).

Transport

Whilst not marked on the submitted plans, space for two off road parking spaces would be retained to the front of the property. This accords with the council's current adopted standards and is therefore considered acceptable.

TPO Trees

Further to the comments provided by the RBC Natural Environment Officer (see Consultation Responses above) it is considered that there is a sufficient distance between the proposed development and protected tree that the extension would not adversely affect the tree.

Ecology

Further to the comments provided by the RBC Ecology Consultant (see Consultation Responses above), the site and application buildings have been identified as conducive to hosting roosting bats and as suitable for nesting birds. As such an endoscope survey was undertaken to establish the presence (or otherwise) of bats. No evidence of roosting bats was found and as such there is no ecological objection to this application, subject to an informative relating to bird nests.

10. Recommendation

Grant planning permission, subject to the following conditions:

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission was granted.

Reason: to prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The materials to be used in the construction of the external surfaces of this development shall match those of the existing building.

Reason: To ensure that the new development appears in keeping with the existing building, in the interests of the character of the area, in accordance Policy DM9 of the Sites and Detailed Policies Document 2012 (altered 2015).

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

Drawing No.:

- 18-074/PD1
- 18-074/PD2
- 18-074/SP1
- 18-074/LP1

As received: 08/08/2018

Reason: because permission is granted in respect of the development as detailed in the approved plans only.

Informatives

1. 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.
2. The applicant's attention is drawn to Building Regulations requirements. Please contact Building Control on 0118 937 2449 for advice.
3. The construction (and demolition) of the development will be subject to environmental health law and the applicant is referred to:
<http://beta.reading.gov.uk/environmentalprotection>
4.
 - i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.
 - ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.
5. You are advised to avoid the use of the grass verges for development related activity, e.g. storage of materials, due to the resulting potential harm to important street trees.
6. Work on a loft or roof may affect bats. The applicant will need to consider protected species when planning work of this type. A survey may be needed, and if bats are using the building, a licence may be required. To view specific information regarding bats use the following link:
<https://www.gov.uk/wildlife-licences>
7. All birds, their nests and eggs, are protected by law. It is a criminal offence (with certain exemptions) to deliberately or recklessly take, damage or destroy the nest of any wild bird whilst it is in use or being built. The buildings and vegetation on the site are likely to be used by nesting birds and any works to buildings with bird nests or vegetation clearance should take place outside the bird nesting season (March - August inclusive). If this is not practicable areas to be cleared should first be checked for bird nests by an appropriately qualified person. If bird nests are found works that could disturb it must stop until any young have fledged the nest.
8. The decision to grant planning permission follows the positive and proactive consideration of the issues raised by this planning application and issuing the decision within the agreed time period.
9. CIL

