

**DELEGATED APPLICATION REPORT**

**Target Date: 23/11/18**

**Application No: 181717/HOU**

**Address: 3 Victoria Street, Reading RG1 4NQ**

**Proposal: Erection of rear dormer roof extension, single-storey rear extensions and enlargement of front lightwell with steel balustrade.**

**Case Officer: Anthony Scholes**

**1. Site Description and Surrounding Area**

- i. The development site is located on the eastern side of Victoria Street, and is the end of a row of terraced houses. The housing within the area is generally good examples of 19th century buildings where their style, detailing, and building materials provide the streetscape with interest and variety. Although not a listed building, it is identified as having townscape merit and thus design is to be considerate of the overall appearance of the conservation area. The property has a relatively small garden, which is common of the locality. The property has an existing two storey rear outrigger that measures approximately 5.0m in depth, 2.25m in width and 5.2m in height. Immediately adjoining the site is a student accommodation building and a modern two storey flat roofed building.
- ii. As defined in the Eldon Square Conservation Area appraisal, the Eldon Square Conservation Area is divided into three areas, the proposal is within 'area 3' which consists of terraced streets including Victoria Street. The features which make a positive contribution to the historic character and appearance of the conservation areas include: rectilinear grid pattern of streets, 19th century brick terraced houses, good quality brickwork, flint wall on south side of Eldon Terrace, and historic stone kerbs. The features which have a negative impact on the area include: modern development along Queens Road, poor state of repair of no.23 Eldon Terrace, loss of original windows and front doors, loss of original slate roofs and other architectural features such as iron gates and railings, loss of front gardens, and unsightly concrete boundary walls.

**2. Proposal**

- i. The proposal is for the conversion of loft to habitable use, formation of rear dormer, and single-storey rear extension. The proposed development will result in a full width extension for 4.0m, and an extension totalling 7.3m from the rear of the original dwelling. The proposed new extension is to be 2.7m in height and contain a flat roof.
- ii. The loft conversion to a habitable room will include the provision of a rear facing dormer window. The proposed dormer window is to be approximately 1.5m wide, and protrude 3.5m from the apex of the main roof form. The dormer is to be no higher than the existing apex height and is set 1.0m back from the gutter line.
- iii. Additionally, the proposal includes the provision of one new obscure glazed window to the side elevation, and the inclusion of a railing around the enlarged light well. The works to the light well at the front of the property servicing the basement bedroom are subterranean only.

- iv. Materials have been proposed to be stucco rendering to match the existing on the rear extensions, with high performance felt for the roofing. The dormer window is proposed to be clad in slate.

### **3. Internal Consultations**

i. RBC Transport Development Control

There are no transport objections to the proposed development, transport officers recommended the following conditions/ informatives:

#### **CO2 Construction Method Statement**

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and been approved in writing by the Local Planning Authority to provide for:

- space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided
- location on site for storage of plant and materials used in constructing the development
- the erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site
- any footpath closures or road closures needed during construction
- a scheme for recycling waste resulting from the construction works

The measures within the approved Construction Method Statement shall be maintained and adhered to throughout the course of the development unless changes are agreed in advance and in writing by the Local Planning Authority. Reason: in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety. In accordance with Policy DM12.

#### **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.

### **4. External Consultations**

- i. A site notice was displayed for 21 days, occupiers of adjoining properties were notified by mail. A press notice was published on 18/10/18. No responses/ objections have been received.
- ii. Reading CAAC was formally consulted; no response received.

### **5. Plans/Documents Considered**

- i. The agent supplied the following, received on 1 October 2018:

Drawing No. 1225/1/a - Plans and rear elevations as existing

Drawing No. 1225/2 - Plans and rear elevations as proposed

The agent supplied amended plans, received on 16 November:

Drawing No. 1225/2/a - Plans and rear elevations as proposed

**6. Relevant Planning History**

- i. None

**7. Equality Act 2010**

- i. 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.

**8. Relevant Planning Policy and Guidance**

- i. 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), 'Reading Central Area Action Plan' 2009 and 'Sites and Detailed Policies Document' 2012 (Altered 2015).

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 '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, RCAAP 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).

Planning (Listed Buildings and Conservation Areas) Act 1990 Conservation Areas  
Section 69 of the Act imposes a duty on local planning authorities to designate as Conservation Areas any 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'.

Recent legal cases have established that under section 70(3) the general power to grant planning permission under section 70(1) is expressly subject to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72(1) provides that the local authority has a statutory duty that:

*‘with respect of any building or other land in a conservation area.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.’*

In March 2012, the Government published the National Planning Policy Framework (NPPF), which replaced the National Planning Policy Statements (PPS) and Planning Policy Guidance (PPG). The NPPF was subsequently updated in 2018. The NPPF sets out a presumption in favour of sustainable development and a key dimension of ‘sustainability’ is defined as ‘...protecting and enhancing our...historic environment’ (DCLG et al, 2018).

Paragraph 190 states:

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.

Paragraph 193 states that:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance

Paragraph 196 states that:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 197 states that:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Planning Practice Guide (PPG)

The Planning Practice Guide (PPG) (2014) clarifies the additional legal requirements under ‘What is the main legislative framework for planning and the historic environment?’ where it states that:

In addition to the normal planning framework set out in the Town and Country Planning Act 1990....the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest. Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the Local Plan. (See ID 18a-002-20140306)

## **9. Relevant Policies**

The application has been assessed against the following policies:

### **National**

National Planning Policy Framework 2012;

National Planning Policy Guidance 2014 onwards;

### **RBC Local Development Framework**

#### **Core Strategy 2008 (Altered 2015)**

CS7 Design and the Public Realm

CS20 Implementation of the Reading Transport Strategy

CS33 Protection and Enhancement of the Historic Environment

CS34 Pollution and Water Resources

### **Sites and Detailed Policies Document 2012 (Altered 2015)**

DM4: Safeguarding Amenity

DM9: House Extensions and Ancillary Accommodation

DM12: Access, Traffic and Highway Related Matters

### **Reading Borough Council Supplementary Planning Documents**

Revised Parking Standards and Design SPD (2011)

## **10. Appraisal**

- i. The main issues are considered to be:
  - Effect of development on conservation area
  - Amenity
  - Transport matters
  - Other matters
- ii. Effect of development on conservation area  
The site is noted as having townscape significance within the conservation area. The proposed alterations will not be visible from Victoria Street. The extensions will be visible from Montague Street and the gap formed by the car parking area to the rear of the student accommodation. The bulk and scale will however be subordinate to the original dwelling and due to the site being located on the fringe of the conservation area and the end terrace in a row with townscape merit the proposal will not detract from the appearance in this particular instance. Additionally, the rear dormer is of an appropriate scale and is similar in appearance to that of others approved within the general locality.

As identified above, negative development which impact on the conservation area include loss of architectural features such as iron gates and railings. The proposed expansion of the front light well improves the current situation through the inclusion of a new balustrade to be painted steel to match the existing balustrades within the street.

iii. Amenity

DM9: House extensions and ancillary accommodation states an extension where it:

A. Respects the character of the house in terms of scale, location, materials and design;

To assess this, the following has been considered - would the proposal:

- detract from the appearance of the original building through the use of ill-matching materials and by not fitting in with the design, scale and proportions of the original building; **NO**
- reduce the amount of usable amenity space for the property to an unacceptable degree; **NO, The balance amenity space would be of an acceptable size and similar to that of dwellings within the locality.**
- require the loss of trees in the garden or put significant trees at risk; **NO**

B. Respects the character and pattern of neighbouring properties and the street as a whole in terms of scale, location, materials and design, and any important existing building line; Respects neighbour's amenities and does not present a large blank façade to public areas.

To assess this, the following has been considered - would the proposal:

- significantly reduce the amount of daylight and sunlight enjoyed by neighbouring properties; **NO**
- invade the privacy of neighbouring properties through overlooking from windows or balconies; **NO, the back to back nature of properties is generally acceptable and the additional rear dormer will not worsen/ result in an unacceptable loss of privacy through overlooking.**
- detract from the character of neighbouring properties through siting, excessive bulk, ill-matching materials or inconsistent design; **NO**
- detract from the appearance of the street or area by using ill-matched materials, glazing and detailing; **NO**

DM4: Safeguarding Amenity states an extension to a house 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**
- Access to sunlight and daylight; **NO**
- Visual dominance and overbearing effects of a development; **NO**
- Noise and disturbance; **NO**
- Artificial lighting; **NO**
- Vibration; **NO**
- Dust and fumes; **NO**
- Smell; **NO**
- Crime and safety; **NO**

iv. Transport

As per the transport observations detailed above, the proposals are considered to be satisfactory, subject to a condition securing a CMS. This is considered to be required owing to the nature of the proposed works within this somewhat constrained location (Victoria Street being a narrow highway and space in the vicinity being limited, together with the high density development nearby - e.g other residential properties / student accommodation). As such, a CMS will protect the amenity of local land uses or neighbouring residents, the character of the area and highway safety.

v. Other matters

CIL - The extent of the works are such that the proposals will not be CIL liable.

Pre-commencement conditions - In line with section 100ZA(5) of the Town and Country Planning Act (as amended) discussions have been undertaken with the applicant regarding pre-commencement conditions. The applicant formally agreed to a pre-commencement condition relating to the CMS via return email on 22/11/18.

## 11. Conclusion

- i. Having regard to the material considerations and all matters raised, the Local Planning Authority considers that the balance of considerations therefore weigh in favour of granting consent subject to conditions.

### Recommendation

GRANT, subject to conditions

## 12. Conditions:

1. Time limit
2. Materials to be as proposed
3. Approved plans
4. CMS

Informatives relating to:

1. Terms and conditions
2. Pre-commencement conditions
3. Building regulations
4. Demolition and construction
5. Encroachment and Party Wall
6. Positive and proactive

2. The materials to be used in the construction of the external surfaces of this development shall be:

Rear extension walls: Stucco rendering

Rear extension roof: High performance felt and slate

Rear facing windows: To match existing

North facing window: White painted timber frame with obscure glazing

Dormer exterior: Hung slate tiles to match existing roof

Balustrades: Black painted steel

as shown on the approved plans.

The development shall be completed using the approved materials and details before the building is occupied.

Reason: in the interests of ensuring that the new development appears in keeping with the existing building or surrounding area in accordance with Policy CS7 and Policy CS33.

Consultee conditions (as above)

CO2 Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and been approved in writing by the Local Planning Authority to provide for:

- a) space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided
- b) location on site for storage of plant and materials used in constructing the development
- c) the erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site
- d) any footpath closures or road closures needed during construction
- e) a scheme for recycling waste resulting from the construction works

The measures within the approved Construction Method Statement shall be maintained and adhered to throughout the course of the development unless changes are agreed in advance and in writing by the Local Planning Authority.

Reason: in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety, in accordance with Policies CS20 and CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policies DM4 and DM12 of the Sites and Detailed Policies Document 2012 (Altered 2015).

#### 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.