

DELEGATED APPLICATION REPORT

SITE ADDRESS: 27 Queen Street Caversham

APPLICATION NUMBER: 170302/FUL

PROPOSAL: Conversion of existing single dwelling to two separate dwellings, including conversion of existing garage to habitable accommodation, associated changes to fenestration and proposed side porch

DETERMINATION DATE: 5th May 2017

Site Description and Surrounding Area

The application relates to a two storey detached dwelling located on the north side of Queen Street, a residential cul de sac accessed from Hemdean Road. The building is one of a pair of similar style detached dwellings located at the western end of the cul de sac, whilst opposite the site are some detached, semi-detached and terraced dwellings of differing styles with off-street driveway parking to the front. However, the majority of the dwellings to the east and within the cul de sac are traditional Victorian style terraced dwellings with small front gardens but no driveway parking.

Proposal

The application seeks planning permission for conversion of existing single dwelling to form two separate two bedroom dwellings, including conversion of the existing garage to habitable accommodation, alterations to fenestration and proposed new side porch entrance to one of the dwellings.

If is proposed to demolish a small side wall on the front driveway to create a total of four driveway parking areas, two spaces for each dwelling. Meanwhile, to the rear of the property it is proposed to demolish an existing rear conservatory and sub-divide the garden with a 1.8m high timber fence.

Plans Considered

Drawings ref:

HM/QS/12A - Site Plan

Received on 3rd May 2017

HM/QS/04 - Plans and Elevations as Existing

HM/QS/05 - Plans and Elevations

HM/QS/06 - Front Elevation as Existing

Received on 24th February 2017

Relevant Planning History

980489 - First floor rear extension - Granted.

900693 - Erection of a two storey rear extension - Granted

900699 - Erection of a two storey rear - Refused

900849 - Erection of a single storey rear extension - Granted

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'. However the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

In this regard the NPPF allows full weight to be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy and Sites and Detailed Policies Document) until March 2013. 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:

National

National Planning Policy Framework

National Planning Practice Guidance

Reading Borough LDF Core Strategy (Adopted January 2008, updated 2015)

- CS1 Sustainable Construction and Design
- CS2 Waste Minimisation
- CS7 Design and the Public Realm
- CS14 Provision of Housing
- CS15 Location, Accessibility, Density and Housing Mix
- CS18 Residential Conversions
- CS20 Implementation of the Reading Transport Strategy
- CS24 Car / Cycle Parking
- CS34 Pollution and Water Resources

Sites and Detailed Policies Document - (Adopted October 2012)

- DM1 Adaptation to Climate Change
- DM4 Safeguarding Amenity
- DM6 Affordable Housing
- DM8 Residential Conversions
- DM9 House Extensions and Ancillary Accommodation
- DM10 Private and Communal Outdoor Space
- DM12 Access, Traffic and Highway Related Matters

Supplementary Planning Documents

Revised Parking Standards and Design SPD (adopted October 2011)

Sustainable Design and Construction SPD (adopted July 2011)

Residential Conversions SPD (adopted November 2013)

CONSULTATION RESPONSES

Transport - No objection, subject to conditions.

Environmental Protection - No objection, subject to conditions.

Ecology - No objection.

Notification letters regarding the application were sent to neighbouring properties and a site notice (not a statutory requirement) was also displayed at the site.

Ten letters of objection have been received raising the following issues:

- 2 x two bedroom dwellings would be out of keeping with the road
- Increased demand for on street parking
- Failure to display planning application site notice
- Loss of residential amenity by reduction in number of bedrooms
- Loss of garage parking and unsightly replacement driveway parking
- Harm to structure of neighbouring property
- Highway safety concerns from increased traffic and turning of vehicles
- Loss of family dwelling
- Concern over future extension of both properties using permitted development rights
- The road should be subject of parking permitting
- Financial gain

Officer response: Please see the appraisal section below.

APPRAISAL

Principle

Policy CS15 refers to the appropriate mix of residential development. This is assessed on a site by site basis taking into account the characteristics of the area in which it is located. The site is located on previously developed land and already in use as a single residential dwelling. As such the principle of the proposed development could be acceptable subject to the following material planning considerations.

The proposal would accord with the Residential Conversions SPD in that it the existing dwelling has 4 or more bedrooms and a total floor area of more than 120m² and is not considered that the proposal would result in an unacceptable housing mix in the road where single family housing would remain the dominant form of dwelling.

Appearance and impact on the character of the area

The proposal does not involve significant extension of the property with the main aspects of the proposal the internal subdivision of the existing property into two separate dwellings, including conversion of the existing garage to residential accommodation (something which in isolation could be achieved without the need for planning permission) and subdivision of the existing rear garden into two.

The residential character of Queen Street is mixed with larger detached/semi-detached plots at the western end of the road (of which the application site is one) whilst the majority of dwellings are terraced properties which have smaller and narrower plots. Given the mixed nature of the properties found within the road it is not considered that the subdivision of the existing plot would result in a plot or dwelling size which would be out of keeping with its general character. Comments from neighbours with regard to bedroom numbers are noted; however there is no policy basis to object to the provision of 2 x 2 bed dwellings. Moreover, the provision of an additional residential unit will assist in the Council meeting its annual housing targets (policy CS14).

Policy DM10 seeks that the size and character of private amenity space should reflect that of similar spaces in the vicinity of the site. As set out above the plots sizes and therefore private amenity spaces within the road vary. It is considered that each of the proposed dwellings would retain sufficient useable private amenity spaces which in terms of size would be significantly out of keeping with the character of the surrounding area.

External changes to the building itself are relatively minor in nature, with the introduction of a small side porch and entrance door as well as a small new side window to the west flank elevation. Meanwhile, to the front of the building the garage door would be replaced with a small front window. The proposed changes are considered to be modest and proportionate to those of the existing dwelling and to not result in any harm to the character and appearance of the building/wider area.

The existing dwelling already has driveway parking to the front for 2 cars. The proposal seeks to create 4 driveway parking spaces. This would involve further hard surfacing across the front of the site and removal of a low level wall to the front of part of the existing driveway (the retaining wall would remain to the eastern boundary with no. 25). It is noted from historic photographs that the front of the site has previously been an area of hardstanding but that in recent years a small area of grass has been created on the east side of the drive. Front driveway parking is a feature of the dwellings to the western end of Queen Street and it is noted that the front driveway could be hard surfaced and used as parking under permitted development rights, without the need for planning permission. The applicant has also now submitted an amended plan to include some low level hedge planting to the front of the dwelling, to retain some element of greenery and as an attempt to soften the impact of the additional hardstanding and car parking. The loss of the small section of low level wall to the front of the site is not considered to result in harm to the visual amenities of the street-

scene. Given the above it is not considered that the proposed driveway parking area for 4 cars would result in any significant harm to the character of the dwelling or street-scene.

(Policy CS7 of the Core Strategy 2008, 2015 and Policy DM10 of the Sites and Detailed Policies Document 2012, 2015 and the Residential Conversions SPD 2013).

Residential Amenity

There are no significant extensions proposed whilst an existing rear conservatory is to be removed. It is not considered that the proposal would result in any adverse loss of light or outlook to neighbouring properties.

The proposed additional windows are to the front elevation and the side elevation facing away from the neighbour at no. 25 such that no undue overlooking or loss of privacy is considered to result from the proposed development.

Given the existing front parking arrangements and those found to nearby properties in the street it is not considered that this element of the proposal would result in any undue additional disturbance to no. 25 or other surrounding dwellings.

The proposed development is not considered to result in any undue harm to the amenity of surrounding occupiers in any other regards.

Each of the proposed dwellings is considered to be served by suitable daylighting, outlook and room sizes such as to provide a suitable standard of residential amenity for future occupiers. Room stacking is considered acceptable whilst the appropriate insulation would be a requirement of building regulations.

There is sufficient space for storage and access to bins within the curtilage of both dwellings.

Given the reduced plot sizes as a result of the proposed development it is considered reasonable to apply a condition to restrict permitted development rights to both dwellings in order to allow the Local Planning Authority to consider the impact of any further extension/alterations to the dwelling on the residential amenity of neighbouring occupiers and future occupiers of the dwellings themselves.

(Policy DM4 of the Sites and Detailed Policies Document 2012, 2015 and Policy CS34 of the Core Strategy 2008, 2015 and the Residential Conversions SPD).

Sustainability

Policy CS1 of the Core Strategy, supported by the Council's Sustainable Design and Construction SPD seeks the proposal, as a 'creation of new residential units through conversion', to comply with BREEAM Level of 'Very Good'. It is considered acceptable to deal with this matter by way of a suitably worded condition to require a final BREEAM Domestic

Refurbishment certificate to be submitted to and approved, in writing, by the Local Planning Authority prior to occupation of the dwellings.

Transport

This site is located on the north side of Queen Street which is a residential street serving predominantly terraced property's which have limited off street parking facilities. At the top end of the Queen Street (where no. 27 is located) are larger houses, each provided with off-street parking facilities. Queen Street is adopted highway up to no.23, however, the section of road outside no.27 remains private and not adopted road.

The site is located within Zone 3, Secondary Core Area, of the Council's adopted Parking Standards and Design SPD. Typically these areas are within 400m of a Reading Buses high frequency 'Premier Route', which provides high quality bus routes to and from Reading town centre and other local centre facilities. In accordance with the adopted SPD, the development would be required to provide a parking provision of 1.5 spaces per 2 bedroom dwelling.

The plans demonstrate the provision of 2 parking spaces per dwelling. It is noted that the proposed parking layout will result in the removal of the boundary wall and some landscaping. The cumulative impact of 1 additional dwelling would not generate a significant increase in traffic from Queen Street; therefore, the proposed access and parking arrangements are considered acceptable for the level of development and complies with the Council's adopted parking standards. However, a condition is required to ensure the vehicle parking and turning is provided in accordance with the approved drawing.

It should be noted that the red line area does not extend to the public highway. As the granting of planning consent does not confer any rights of access, the applicant should establish such rights to ensure the proposed parking area for the proposed dwellings are accessible across third party land.

The Design and Access statement indicates that the provision for cycle storage will be in the rear garden. However, we require detailed plans confirming that the cycle parking provision meets the Council's adopted standards in terms of layout. This can be secured by way of a suitably worded condition.

There are no transport objections to the proposal subject to conditions.

(Policies CS20 and CS24 of the Core Strategy 2008, 2015 and the Residential Conversions SPD).

Affordable Housing & CIL

West Berkshire District Council and Reading Borough Council applied for a judicial review of the Secretary of State's Written Ministerial Statement (WMS) to Parliament in 2014 on changes to national planning policy. Those changes sought to exempt developments of 10 or

less dwellings from planning obligations for affordable housing and social infrastructure contributions and to introduce a new measure known as the Vacant Building Credit.

The High Court handed down its judgment on the case on 31st July 2015. The High Court found in favour of the challenge by the local authorities and quashed the amendments to the NPPG. The Secretary of State appealed the judgment and the Court of Appeal then quashed the decision of the High Court in May 2016.

Reading Borough Council considered its options for implementing its affordable housing policy in the light of this decision. At its meeting of the Strategic Environment Planning and Transport Committee on 13th July 2016, the Council discussed the outcome of the Court of Appeal's decision on its challenge (http://www.reading.gov.uk/media/5651/Item09-SEPT-C-Report-on-C-of-Appeal-judgement-05-16/pdf/Item09_SEPT_C_Report_on_C_of_Appeal_judgement_05_16.pdf).

Having considered its options, the Committee agreed the following as the basis for determining planning applications where Policy DM6 of the SDPD is relevant:

To implement Policy DM6 as currently adopted in the SDPD but excluding proposals that solely involve the conversion of an existing property, where the conversion involves the provision of 10 or less dwelling units (i.e. not HMOs), or the replacement of dwellings by the same number of replacement dwellings where there is no net increase.

The proposal relates to the conversion of an existing property and therefore is excluded from the requirements of Policy DM6 and no affordable housing contribution is required in this specific instance. Accordingly, no S106 legal agreement is required either.

The proposal is not liable for CIL - the existing building has been and is currently occupied as a residential dwelling.

Matters Raised in Representations

Confirmation was provided that the application site notice was displayed (by the applicant) on 22nd March 2017. This was also confirmed following an officer site visit. The display of a site notice is not a statutory requirement in this instance, as nearby occupiers were formally consulted by letter.

Harm to the structure of a neighbouring property from the proposed development or as a result of activity associated with the proposed development is not a relevant planning consideration or something that can be taken into account within the planning application process. The applicant would be required to obtain the relevant building regulations approval for the proposed development separate to the planning process. Any structural harm to a neighbouring property would be a civil matter between neighbouring occupiers.

Introduction of parking permitting would not be a matter for consideration as part of a planning application. Transport Development Control Officers have raised no objection to the proposal in terms of highway safety and are satisfied that the proposal would comply with the Council's adopted parking standards and provide for sufficient off-street parking.

Financial gain is not a relevant material planning consideration.

All other matters raised are addressed in the appraisal section of the 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

GRANT Full Planning Permission subject to 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 development hereby approved shall not be carried out other than in accordance with the following drawings only:

Drawings ref:

HM/QS/12A - Site Plan

Received on 3rd May 2017

HM/QS/04 - Plans and Elevations as Existing

HM/QS/05 - Plans and Elevations

HM/QS/06 - Front Elevation as Existing

Received on 24th February 2017

Reason. To clarify which drawings are approved.

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

Reason: In the interests of the visual appearance of the buildings, in accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (altered 2015).

4. No dwelling shall be occupied until space for vehicle parking and turning has been provided in accordance with the approved drawing. This area shall thereafter be kept available for parking at all times.

Reason: To ensure that the development is provided with adequate parking facilities; to reduce the likelihood of roadside parking which could be a danger to other road users; and to ensure vehicles enter and leave the highway in forward gear in accordance with Core Strategy Policy CS24 and Sites and Detailed Policies document Policy DM12.

5. Secure, covered and lockable bicycle storage spaces shall be provided in accordance with a layout to be submitted to and approved by the Local Planning Authority before occupation of the dwellings to which they relate and retained as such thereafter.

Reason: To encourage travel by sustainable alternatives to driving a motorcar in accordance with the Local Planning Authority's approved transport policies in accordance with Core Strategy Policies CS23 and CS24.

6. The hours of construction, demolition and associated deliveries shall be restricted to the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior approval from the Local Planning Authority.

Reason: In the interests of the amenities of nearby residents, in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 Policy DM4 of the Sites and Detailed Policies Document 2012.

7. Prior to the first occupation of any residential unit hereby approved, a final BREEAM Domestic Refurbishment certificate shall be submitted to and approved, in writing, by the Local Planning Authority, demonstrating that the development achieves at least a 'Very Good' rating.

Reason: To ensure that the development contributes adequately towards environmental sustainability, in accordance with Policy CS1 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM1 of the Sites and Detailed Policies Document 2012 (Altered 2015).

8. The soft landscaping (Photinia Red Robin hedge planting) works shall be carried out in accordance with the approved details as shown on drawing no. HM/QS/12A Site Plan received on 3rd May 2017. The works shall be carried out in the first planting season following completion, or first occupation, of the development, whichever is the sooner.

Reason: to ensure that the works are carried out as approved in the interests of the visual amenities of the area comply with Policy CS7 of the Reading Borough LDF Core Strategy 2008.

9. Any trees or plants which within a period of five years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written approval to any variation.

Reason: to ensure that the works are carried out as approved in the interests of the visual amenities of the area comply with Policy CS7 of the Reading Borough LDF Core Strategy 2008.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1 (or any order revoking or re-enacting that Order with or without modification);

- no additions or extensions to the dwelling shall be built (Class A);
- no roof extensions (including side or rear dormer windows) shall be constructed (Class B); and
- no structures shall be erected within the curtilage (Class E)

Reason: Due to the proximity to neighbouring dwellings in the interests of the privacy and outlook of neighbouring dwelling. In accordance with Policies CS7 of the Reading Borough LDF Core Strategy 2008 and Policy DM4 of the Sites and Detailed Policies Document 2012.

11. The proposed hard surfacing to the front driveway area shall either be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse and retained in this form thereafter.

Reason: to ensure suitable drainage arrangements in accordance with Policy DM1 of the Sites and Detailed Policies Document 2012, 2015.

Informatives

1. It should be noted that the red line area does not extend to the public highway. As the granting of planning consent does not confer any rights of access, the applicant should establish such rights to ensure the proposed parking area for the proposed dwellings are accessible across third party land.
2. The local planning authority has worked with the applicant in a positive and proactive way.

3. 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.
4. These works will require separate approval under the Building Regulations. Please contact the Council's Building Control service for further advice on (0118) 937 2449.
5. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but 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.
6. For further information about construction and demolition nuisance law the please refer to the 'Protecting Your Neighbourhood' section of the Council's website.
7. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.