

DELEGATED APPLICATION REPORT

Application No: 160752/FUL

Address: 171 Blagdon Road, Reading

Ward: Church

Proposal: Proposed single storey front and rear extensions and loft conversion

Extended Target Date: 28/10/2016

Case officer: Ralph Chakadya

1. Site Description and Surrounding Area:

The application site consists of a triangular shaped side garden to number 171 Blagdon. Number 171 is a semi-detached two-storey dwelling. The site forms a pinch point end to properties on this part of Blagdon Road. To the rear the application site adjoins a disused footpath and rear gardens of properties on Hazel Crescent. To the front of the site is the T-junction with Cherry Grove and the Rabson Recreation Ground. The house is not listed or in a conservation area.

2. PROPOSAL

The proposal is for the construction of a new two bedroom house with parking, private amenity space and cycle storage.

3. SUPPORTING INFORMATION

Design and Access Statement

Location Plan

Amended Site Plan

Amended Floor Plans

Amended Elevation Plans

4. PLANNING HISTORY

151852 - Pre-application enquiry for the erection of a two storey, subservient, pitched roof 6m x 6m side extension. The proposal was considered unacceptable.

5. CONSULTATIONS

RBC Development Control Transport - The proposal consists of the construction of a two bedroom house with parking, private amenity space and cycle storage.

This site is located within Zone 3, Secondary Core Area, of the Councils adopted Parking Standards and Design SPD. Typically these areas were 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.

Original plans submitted indicated that the existing and new property would have one parking space each and would share the current dropped kerb access point currently in place. Revised plans submitted now show provision for three parking spaces as well as widening of the access point and reduction of the hedge in line with the widened access.

Transport do not have any objections to the proposal subject to the conditions and informatives.

RBC Natural Environment (Trees) - There are no trees worthy of a TPO on site. The hedge on the frontage is a good feature and it is noted that, apart from a section to be removed for the driveway, it is to be retained, which is positive.

The front/side garden has plenty of space for several new trees which should be incorporated as the site is directly opposite part of the local 'area of high trees scape value' (as defined in the Tree Strategy). Preferably the block plan should be amended to show new trees now to avoid a pre-commencement condition. The trees should be a minimum 10-12cm girth and 3m in height, should be suitable staked and have a grass-free, mulched zone (min. 1m diameter) around them and tree pit details should be submitted. Species should be of an ultimate small-medium size and preferably native. If details are not secured prior to the decision, it is recommended landscaping conditions be added.

RBC Environmental Health - No objection subject to conditions and informatives to control noise, dust, working hours and bonfires.

Thames Water - No objection subject to advice on surface water drainage.

Public consultations

Two letters of support were received. One letter highlights that the application is inaccurate as the applicant does not live in the current residence with his elderly father and has at least previously been renting out rooms to other residents.

The application was considered by the Applications Steering Group (ASG) on 3 separate occasions following amendments to the scheme each time in an attempt to overcome concerns raised regarding cramped development of the site. The ASG concluded that the scheme would still constitute overdevelopment of the site that is out of character in terms of resultant plot sizes.

6. RELEVANT PLANNING POLICY AND 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. 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).

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

National Planning Policy Framework

Local Development Framework Core Strategy (2008 and altered 2015)

- CS1 (Sustainable Construction and Design)
- CS2 (Waste Minimisation)
- CS4 (Accessibility and the Intensity of Development)
- CS5 (Inclusive Access)
- CS7 (Design and the Public Realm)

CS9 (Infrastructure, Services, Resources & Amenities)
CS14 (Provision of Housing)
CS15 (Location, Accessibility, Density and Housing Mix)
CS20 (Implementation of Reading's Transport Strategy)
CS24 (Car/Cycle Parking)
CS38 (Trees, Hedges and Woodlands)

Reading Borough Local Development Framework: Sites and Detailed Policies Document (SDPD) (2012 and altered 2015)

SD1 (Presumption in Favour of Sustainable Development)
DM1 (Adaptation to Climate Change)
DM3 (Infrastructure Planning)
DM4 (Safeguarding Amenity)
DM6 (Affordable Housing)
DM10 (Private and Communal Outdoor Space)
DM11 (Development of Private Residential Garden Land)
DM12 (Access, Traffic and Highway-Related Matters)

Local supplementary planning guidance:

The Council's 'Revised Sustainable Design & Construction SPD' (July 2011)
The Council's 'Parking Standards and Design' SPD (Oct 2011)
The Council's 'Revised SPD on Planning Obligations under Section 106 of the Town and Country Planning Act 1990' (2013)
The Council's 'Affordable Housing' SPD (2013)

7. APPRAISAL

Main Issues

- Principle of the development
- Impact on the character and appearance of the surrounding area
- Residential amenity
- Trees
- Transport issues
- Other Considerations

Principle of development

The principle of the development would need to be assessed in terms of the requirements of the National Planning Policy Framework (NPPF) paragraph 53 that seeks to ensure that policies are set out to resist inappropriate development of residential gardens. Also, at local level, the Council's LDF SPD policy DM11 that establishes a number of criteria against which applications for the development of private residential gardens need to be assessed. Council's LDF SPD policy DM10 seeks to ensure that adequate private and communal outdoor space is retained in terms of development proposals.

As outlined within the site description section above, the triangular application site forms a pinch point end to properties on this part of Blagdon Road as part of the side garden to number 171 Blagdon. The subdivision of the plot would result in the existing number 171 retaining an uncharacteristic smaller garden size when compared to the prevailing garden sizes in the locality contrary to policy DM10. Whilst the proposed dwelling's siting within the plot retains the existing frontage building line of properties on this part of Blagdon Road, being 2.8m from the existing dwelling, the triangular shape of the plot tightly restricts separation

distances to the rear boundary to 3m at the furthest point and a fractional 0.5m at the rear corner points of the dwelling. The tightness to the rear in terms of separation distances to the boundary would result in a cramped and overdeveloped form of development due to the limited plot size and unusable private rear garden amenity space. The proposed development would therefore be contrary to criterion 1 of policy DM11 that requires proposals to make a positive contribution to the character of the area in terms of the relationship of the proposal to the existing built form and spaces around buildings within the surrounding area, criterion 2 of DM11 that seeks to ensure that 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 and the NPPF. The proposed development is therefore considered unacceptable in principle.

Design and Appearance

The proposed detached dwelling has been designed to replicate the style and scale of dwellings on this part of Blagdon Road. The pitched roof reflects the prevailing roof design for dwellings on this part of Blagdon Road with the front-end gable mirroring that of the dwelling at number 27 Highmead Close that is five houses down the road at the other end of Blagdon Road. The external finish is proposed to be red brick, red tile and white render that respect the other dwellings on this part of Blagdon Road. In terms of design and appearance, the dwelling is considered to accord with Core Strategy policy CS7 that seeks to ensure high design quality.

Residential amenity

Policy DM4 seeks to ensure that new development will not cause a significant detrimental impact to the living environment of existing or new residential properties in terms of privacy and overlooking, access to sunlight and daylight visual dominance and overbearing among other things. The proposed dwelling is not considered to result in harm to the amenities of the neighbouring properties in terms of overlooking, access to sunlight and daylight and overbearing. The habitable rooms of the proposed dwelling are considered to be of a size that would not be detrimental to the amenities of the future occupants.

However, as highlighted above, the proposal would result in smaller rear garden to the existing dwelling at number 171 and unusable rear private garden amenity space to the proposed dwelling that would be detrimental to the existing occupants of number 171 and the future occupants of the proposed dwelling. Whilst the retained side garden is considered of an appropriate size, there is no guarantee the screening in terms of hedging along the front boundary would be retained in perpetuity to ensure privacy to the usable garden amenity space. This is contrary to the Council's LDF SDPD Policy DM10 (Private and Communal Outdoor Space) and DM11 (Development of Private Residential Garden Land) and the National Planning Policy Framework.

Trees and landscaping

Whilst there are no protected trees on the site, the Council's Natural Environment Officer has assessed the proposal and highlighted that there is scope to enhance the soft landscaping onsite. Were the proposal acceptable appropriate landscaping conditions would be added.

Transport Issues

The site is located in an area with good public transport links. Revised plans submitted now show provision for three parking spaces as well as widening of the access point and reduction of the hedge in line with the widened access. The

parking and access arrangements are therefore considered accessible. Acceptable cycle storage and bin/recycling provision has been made.

Affordable housing

The proposed development would also need to accord with policy DM6 in terms of making a financial contribution to affordable housing. Policy DM6 (Affordable Housing) of the Local Development Framework (LDF) Sites and Detailed Policies Document (SDPD) seeks to ensure that on sites of 1-4 dwellings, a financial contribution will be made that will enable the provision of affordable housing elsewhere in the Borough.

However, there have been changes to national planning policy in terms of the 2014 Secretary of State's Written Ministerial Statement (WMS). The 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.

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. 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 on 11th 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)

It is notable that at paragraph 99(iii) of the judgement, the Judge reports that a statement made to the Court on behalf of the Secretary of State seeking to explain the effect of the new national policy accepted that:

"In the determination of planning applications the effect of the new national policy is that although it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy;"

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’.

This planning application does not relate to the conversion of an existing property and therefore would need to accord with the requirements of Policy DM6 and make appropriate financial affordable housing contribution. However, as the proposal is not acceptable in other planning terms, the Council has not pursued the S106 legal agreement to secure the financial affordable housing provision.

CIL

Provided the development is acceptable, it would be liable to the Community Infrastructure Levy regime that is applicable to all decisions for planning applications made from the 01/04/2015. The details are available on the Council’s website <http://beta.reading.gov.uk/readingldf>.

Third Party Representations

The issue of who lives on the property is not a planning matter in this instance.

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.

8. CONCLUSION

The plot size and shape is incapable of accommodating a detached dwelling as proposed without resulting in a cramped and overdeveloped appearance that would be detrimental to the character of the area contrary to Council’s LDF SDPD policy DM11 (Development of Private Residential Garden Land) and the National Planning Policy Framework.

Due to the plot size and shape, the retained rear gardens would be uncharacteristically small in comparison with the prevailing garden sizes in the locality and the garden for the proposed dwelling being inadequate to provide for functional private outdoor amenity space for a family house. This is contrary to the Council’s LDF SDPD Policy DM10 (Private and Communal Outdoor Space) and DM11 (Development of Private Residential Garden Land) and the National Planning Policy Framework.

In the absence of a completed legal agreement to secure appropriate and necessary financial contributions towards Affordable Housing provision, the proposal fails to accord with the Council’s LDF SDPD Policy DM6 (Affordable Housing) and ‘Affordable Housing’ SPD (2013).

9. REFUSE