

DELEGATED PLANNING APPLICATION REPORT

Ward: Tilehurst

App Ref: 240660/FUL

Address: Site to the East of, 19 Ogmores Close, Reading, RG30 4SX

Proposals: Erection of a 2 storey 3 bedroom dwelling

Case Officer: Mr Anthony Scholes

Date received (valid from): 22 May 2024

Target Decision date: 24 July 2024

1. SITE DESCRIPTION

Site visit date: 06/05/2024

Site visit photos:



Adjacent trees and vegetation viewed from within site



Front of site facing no.19 Ogmores Close



View toward no.21 Ogmores Close from within site



View toward Bran Close from within site

Ogmores Close is a small close, which branches off Corwen Road. Ogmores Close, has a right-angle bend, and the application site is located on the north-east of this bend. As you enter Ogmores Close, there is a driveway which leads to six garages behind the properties of Bran Close, Corwen Road and Ogmores Close.

The application site is formed of residential garden land (extending to approximately 0.066ha), which belongs to No.19 Ogmores Close. 19 Ogmores Close has a larger garden than the majority of the properties in the surrounding area, due to being an end of terrace plot.

The site itself lies within the Biodiversity Berks Opportunity Areas - West Reading Woodlands 50m buffer.

Nos. 7-19 on the northern side of Ogmores Close are pairs of semi-detached properties that are equally staggered and uniform in their appearance. Properties from Nos.21 onwards are a row of terraced houses. There is a considerable gap between the flanks of Nos. 19 and 21 Ogmores Close, which expose views into Blundells Copse to the rear (an ancient woodland and Local Wildlife Site).

2. PROPOSAL AND SUPPORTING INFORMATION

The proposal includes the erection of a 2-storey, 3-bedroom detached dwelling set back from the frontage of no.19 Ogmores Close. The proposal will provide 2 no. parking spaces for the existing dwelling in a gap between the existing and proposed dwellings, and 2 no. parking spaces for the proposed dwelling and a separate bicycle store. The proposal includes fencing to subdivide the rear garden of no.19 in an L shape, resulting in a shorter garden for no.19. Access would be shared for both dwellings.

Plans Considered

Drawing No. 9306-100 - Location Plan
Drawing No. 9306-101 Existing Block and Proposed Block Plan
Drawing No. 9306-102 Existing Site Plan
Drawing No. 9306-103 Proposed Site Plan
Drawing No. 9306-105 Proposed First Floor Plan
Drawing No. 9306-105 Proposed First Floor Plan
Drawing No. 9306-106 Proposed Roof Plan
Drawing No. 9306-107 Proposed Elevations
Drawing No. 9306-108 Conceptual Model
Drawing No. 9306-112 Existing Topo
Drawing No. 9306-109 Proposed Renders
Drawing No. 9306-110 Proposed Renders
Drawing No. 9306-111 Proposed Renders
Ecological Statement
Biodiversity Net Gain Assessment
Arboricultural Assessment
As Received 22 May 2024

Transport Technical Note
As Received 13 June 2024

3. RELEVANT PLANNING HISTORY

200734/FUL - Erection of single dwelling with associated parking and amenity space. REFUSED 19/02/2021 for the following reasons:

1. As a result of excessive area of hardstanding for the purposes of providing driveway space, the proposed development is considered to have a detrimental impact upon the street scene through the loss of open green space, which currently acts as an attractive buffer zone between Blundells Copse and the nearby residential dwellings and between the two types of differently configured properties albeit of the same age and style (terrace to the south-east and staggered semi's to the southwest). As such the application would harm the character and appearance of the area and therefore fails to comply with Policies CC7 and EN8 of the Local Plan 2019.

2. The proposed site layout is considered to result in an incongruous and harmful addition to the street due to the substantial increase in the stagger when compared to the semi-detached properties to the south- west. This is which is considered to have a detrimental

impact upon the flow of the layout in the wider area. As such this does not comply with Policy CC7 of the Local Plan 2019.

3. The proposed development will result in overlooking of the rear garden of 21 Ogmores Close, as well as perceived overlooking towards the rear gardens of the semi-detached properties to the south-west. In addition to this, the outlook of 19 Ogmores Close will be significantly impacted by the nearest two storey property extending about 40% of the distance along the curtilage boundary. The impact on residential amenity is therefore unacceptable and the application therefore fails to meet Policy CC8 of the Local Plan 2019.

4. The proposed development is likely to have an unacceptably adverse impact on Blundell's Copse which is a "priority habitat", a Local Wildlife Site and a Local Nature Reserve. Further to these ecological reasons, the proposal would inevitably result in pressure to prune back the trees - probably to the boundary - with associated detrimental impact on the health and amenity value of the trees and with foreseeable additional requests to fell trees. As such, the proposed development would be contrary to paragraphs 174 and 175 of the NPPF and policies EN12 and EN14 of the 2019 Reading Borough Local Plan.

5. In the absence of a completed legal agreement to secure acceptable Affordable Housing provision, the proposal fails to contribute adequately to the housing needs of Reading Borough and the need to provide sustainable and inclusive mixed and balanced communities. As such the proposal is contrary to Policy H3 of the Local Plan 2019, the Council's Affordable Housing Supplementary Planning Document 2013 and Section 106 Planning Obligations (2015).

191120/FUL - Erection of two dwellings with associated parking and amenity space. REFUSED

190336/PRE - Developed of site into 3 flats. One 2 bed flat and two 1 bed flats.

102063/PRE - Pre-application advice for new dwelling on land to the side of existing property

00-00307-FUL (991301) - Erection of 1 Dwelling (Attached to number 19). Permitted 31/5/2000

4. CONSULTATIONS

The following addresses were consulted by letter.

17,21 Ogmores Close;
10b Bran Close
"Blundells Copse" Calder Close

One letters of representation was received, the submission is summarised as:

- Concerns over impacts upon privacy of neighbouring properties;
- Sewage overflow as a result of heavy rainfall (infrastructure capacity);
- Positive appearance of existing open garden in this location;
- Traffic congestion concerns;
- Construction activity causing issues and impacts;

RBC Transport

The site is located within Zone 3, secondary Core Area, but close to the borders of zone 2 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 Parking Standards and Design SPD the proposed new dwelling would require 2 off road parking spaces in addition to retaining existing provision for No19. The proposed site plan 9306-103 (extract below) illustrates retained provision for No19, however there is no on-site turning provision which will result in a conflict of vehicle movements between both dwellings.

As the parking for the existing dwelling is now set back further into the site, both properties should be provided with on-site turning. Revised plans with tracking are required.

The access will need to be a minimum of 4.1m for serve the 2 dwellings, and the lamp column located a minimum 1m distance from the access. Revised plans required clearly illustrating the extent of the access in relation to the lamp column.

The Council's Local Transport Plan 3 Strategy 2011 - 2026 includes policies for investing in new infrastructure to improve connections throughout and beyond Reading which include a network of publicly available Electric Vehicle (EV) charging points to encourage and enable low carbon or low energy travel choices for private and public transport. The Council's Local Plan was adopted in November 2019 and this includes a requirement at Policy TR5 for each new house to be provided with an electric charging point. Submitted planning states that the new dwelling will be provided with an EV charging point, this has been illustrated on plans.

The applicant should be advised that a license must be obtained from the Council's Highways section before any works are carried-out on any footway, carriageway, verge, or other land forming part of the public highway to agree the access construction details. License will also be required for the relocation of the lamp column.

Bin storage area has been illustrated on a Ground floor plan 9306 -104; bin storage should not be located further than 15m from the access point of the site to avoid the stationing of service vehicles on the carriageway for excessive periods and should comply with Manual for Streets and British Standard 5906: 2005 for Waste Management in Buildings. It is assumed that bins will be brought to the property boundary for kerb side collection as per existing arrangements for No19.

Cycle storage has been illustrated, cycle storage should be secure and conveniently located. In a development of this nature storage within a secure garden shed would be deemed acceptable. Submitted plans indicate a storage area for the new dwelling, provision is therefore deemed acceptable.

Amended Transport Comments

Following a further review, and a site visit. The visit identified that due to the carriageway alignment there is extra space available to reduce the possibility of conflict between 2 vehicles that would be outside of the active carriageway and is therefore deemed acceptable.

The plan will need to be amended so show that the width of the driveway reflects the width of the access, or widen the access to suit the driveway which will need the lamp column relocating.

RBC Ecology

The current proposals are very similar to application 200734 - however a parking area is proposed to the east of the existing house which will mean that the proposed house is likely to be closer to the woodland edge.

See below for comparison of current application (left) with previous application 200734:



*(It should be noted that there seems to be an issue with the scales on the plans submitted which makes this application difficult to assess. For example, the proposed ground plan shows a building sized approximately 12m *17m, whereas the Existing block and Proposed block plan as well as the Proposed Site plan (both Keen partnership) indicate that the building will be approx. 6m * 8.5m in length).*

Nevertheless, it is clear that the dwelling will be built within 6 meters of the woodland and within 3 metres of the woodland canopy at its closest location. The development is likely to have a number of adverse impacts upon the woodland, local wildlife site and local nature reserve including, but not limited to:

- increasing disturbance to wildlife*
- increasing damaging activities like fly tipping*
- increasing the amount of built form adjacent to the woodland resulting in overshadowing*
- increasing the amount of light and noise pollution*
- the introduction of non-native species from the garden*

As such the proposals would be contrary to policy Para 180 of the NPPF, and policy EN12 of the Reading Local Plan which reads:

“ The identified Green Network, the key elements of which are shown on the Proposals Map, shall be maintained, protected, consolidated, extended and enhanced. Permission will not be granted for development that negatively affects the sites with identified interest or fragments the overall network. The Green Network

comprises:- Sites with identified biodiversity interest - Local Wildlife Sites, Local Nature Reserves, Biodiversity Opportunity Areas, protected and priority species and their habitats, Priority and Biodiversity Action Plan habitats, and the River Thames and all its tributaries (including the River Kennet and the Kennet & Avon Canal)”

It would also be contrary to policy EN14 which reads:

“Individual trees, groups of trees, hedges and woodlands will be protected from damage or removal where they are of importance, and Reading’s vegetation cover will be extended. The quality of waterside vegetation will be maintained or enhanced.”

Ancient Woodland and Standing Advice

The ecology report submitted in support of the application (Arbtech, April 2023) identifies the woodland as ancient woodland. Ancient woodland is an irreplaceable habitat and is referred to as such in the National Planning Policy Framework (NPPF).

Paragraph 186 (NPPF 2023) states:

“(c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons [Footnote 67 - For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.] and a suitable compensation strategy exists;”

Natural England in their standing advice to planning officers states that new development can have significant and adverse impacts on important woodland habitats and that a buffer zone of at least 15m should be retained around an ancient woodland. The ecology report advises the creation of a Construction Environmental Management Plan to outline protection measures for the woodland. It adds: “In addition, a 15m buffer around the woodland will need to be implemented as a protection zone where no works should take place”. Given that the proposed house is within this 15-meter buffer, it is unlikely that effective measures can be implemented to mitigate the development's negative impacts.

The standing advice refers to the many potential impacts a development can have, including those listed in the RFR for 191120. The proposed development is expected to have a significantly adverse effect on the woodland, Local Wildlife Site (LWS), and Local Nature Reserve (LNR).

Biodiversity Net Gain

The applicant has provided a net gain calculation of the proposals (Arbtech, April 2024) The calculation concludes that the development will lead to a 100% net loss in biodiversity. As such, the proposals do not comply with local policy EN12 which reads “On all sites, development should not result in a net loss of biodiversity”

Summary

The application as submitted, will have a significant and adverse impact on Blundells Copse which is an “irreplaceable habitat” a Local Wildlife Site and a Local Nature Reserve and would be contrary to policies Para 180 and 186 of the NPPF and policies EN12 and EN14 in the 2019 Reading Borough Local Plan.

Our advice is that the RFR's for previous applications have not been overcome and a new building 3m from the edge of the woodland will have a significant adverse impact upon an important wildlife site. The plans are contrary to planning policy and should be refused.

Natural Environment - Trees

19 Ogmores Close is located on the edge of Blundell's copse, a local nature reserve, a local wildlife site and a priority habitat (lowland mixed deciduous woodland).

The larger trees within the woodland are set back from the property but directly along the boundary there are approximately 10 younger Sycamore and Oak which have asymmetrical canopies having been suppressed and grown south towards the light in competition with the mature trees. These younger trees have the capacity to grow significantly broader and taller than they are today.

The proposed layout allows for a reasonable gap between tree canopies and the new dwelling with an allowance for future growth. There will also be a reasonable useable garden area not under the canopies of the woodland trees. Thus, the application is considered to be acceptable (subject to conditions) and sustainable with regards to the adjacent tree cover.

It should be noted that these comments refer specifically to the individual growth of the trees, and not the woodland as a whole; which is an ecological consideration and will be addressed separately.

Environment Protection

Construction and demolition phases

We commonly receive complaints about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and about smoke from bonfires associated with the burning of waste on site of minor developments.

An informative relating to noisy construction is recommended.

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.

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

National Policy and Guidance

National Planning Policy Framework

National Planning Practice Guidance

Reading Borough Local Plan (2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CC2: SUSTAINABLE DESIGN AND CONSTRUCTION

CC3: ADAPTATION TO CLIMATE CHANGE

CC5: WASTE MINIMISATION AND STORAGE

CC6: ACCESSIBILITY AND THE INTENSITY OF DEVELOPMENT

CC7: DESIGN AND THE PUBLIC REALM

CC8: SAFEGUARDING AMENITY

EN7: LOCAL GREEN SPACE AND PUBLIC OPEN SPACE

EN12: BIODIVERSITY AND THE GREEN NETWORK

EN13: MAJOR LANDSCAPE FEATURES AND AREAS OF OUTSTANDING NATURAL BEAUTY

EN14: TREES, HEDGES AND WOODLAND

EN16: POLLUTION AND WATER RESOURCES

H1: PROVISION OF HOUSING

H2: DENSITY AND MIX

H3: AFFORDABLE HOUSING

H5: STANDARDS FOR NEW HOUSING

H10: PRIVATE AND COMMUNAL OUTDOOR SPACE

H11: DEVELOPMENT OF PRIVATE RESIDENTIAL GARDENS

TR1: ACHIEVING THE TRANSPORT STRATEGY

TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS

TR4: CYCLE ROUTES AND FACILITIES

TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING

SPG/SPD

Affordable Housing (2021)

Revised Parking Standards and Design (2011)

Planning Obligations Under S106 (2015)

Sustainable Design and Construction (2019)

Other Guidance

Department for Environment Food & Rural Affairs, *Keepers of time: ancient and native woodland and trees policy in England Government's statement on England's ancient and native woodland and ancient and veteran trees*, May 2022

Natural England - Ancient woodland, ancient trees and veteran trees: advice for making planning decisions

Equality Act 2010:

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APPRAISAL

Principle of Development

Paragraph 123 of the NPPF states that: *"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and*

improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land."

Previously developed land is defined within the NPPF as: "Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape."

Paragraph 124 d) states: "(planning policies and decision should) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)"

Paragraph 128 of the NPPF states: "Planning policies and decisions should support development that makes efficient use of land, taking into account: ... d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; e) the importance of securing well-designed and beautiful, attractive and healthy places."

Paragraph 123 of the NPPF states that Local Plans should outline a strategy to meet the objectively assessed needs of the Borough in a way which makes as much use as possible of Brownfield Land. The Reading Local Plan 2019 does include a range of policies which reflect this. The Local Plan, and supporting documents steer development to brownfield sites, and as per the latest Annual Monitoring Report (2023-2024) Reading is delivering above the target number of dwellings as set out within the Local Plan:

"The figures this year demonstrate very strong levels of current and future housing delivery. The net completions are the highest for almost 20 years, and are significantly higher than the already high figures from 2022 and 2023, and are well ahead of the Local Plan target of 689. The number of dwellings under construction has reduced from the peak over the last three years, but still remains high by historic standards, meaning that future completion figures are likely to continue to be strong. There was also a strong supply of new permissions in 2023-24, albeit due largely to one single permission. By far the main focus of completions, new construction and new permissions is the town centre, with South Reading a secondary focus."

As such, it is considered that Brownfield Land is the highest priority for development. Notwithstanding, the provision of windfall sites within other areas is considered under the Local Plan. In accordance with Paragraph 124 of the NPPF, the Reading Local Plan 2019 includes policies that relate to development within existing areas, including policy H11 (Development of Private Residential Gardens, which states:

"Proposals for new residential development that includes 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 development⁸⁹;*
- 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.*

As such, the principle of an additional dwelling within an established urban area serviced with infrastructure and local amenities could be considered acceptable subject to meeting all the requirements of the Reading Borough Local Plan 2019.

Design and Impact on the Character and Appearance of the Area

Part 12 of the NPPF 'Achieving well-designed and beautiful places' includes a number of paragraphs around design and fitting with character of areas. Specifically, Paragraph 135 states:

"Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and*

where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

Paragraph 139 of the NPPF states:

“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings*

In accordance with the NPPF, the Reading Borough Local Plan 2019 includes a number of policies relating to design, and appearance of new development. Policy CC7 states:

“All development must be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located. The various components of development form, including: -

- Layout: urban structure and urban grain;*
- Landscape;*
- Density and mix;*
- Scale: height and massing; and*
- Architectural detail and materials will be assessed to ensure that the development proposed makes a positive contribution to the following urban design objectives: -*
- Character - a place with its own identity and sense of place*
- Continuity and enclosure*
- Quality of the public realm and provision of green infrastructure and landscaping*
- Ease of movement and permeability*
- Legibility - clear image and easy to understand*
- Adaptability - capable of adaptation over time*
- Diversity - meets a wide range of needs.*

Developments will also be assessed to ensure that they: -

- Respond positively to their local context and create or reinforce local character and distinctiveness, including protecting and enhancing the historic environment of the Borough and providing value to the public realm;*
- Create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion;*
- Address the needs of all in society and are accessible, usable and easy to understand by them, including providing suitable access to, into and within, its facilities, for all potential users, including disabled people, so that they can use them safely and easily;*
- Are visually attractive as a result of good high quality built forms and spaces, the inclusion of public art and appropriate materials and landscaping.*

Applications for major developments, or other relevant developments, should be accompanied by a design and access statement that deals with all the above matters.

Policy H11 as mentioned above also relates to development of private residential gardens and required all development to:

1. Make a positive contribution to the character of the area in terms of
 - Relationship of the existing built form and spaces around buildings;
 - Layout, including plot coverage, building lines, rhythm of frontage, parking areas, pattern of opening and boundary treatments;
 - Hard and soft landscaping;
 - Building heights;
 - Materials and elevational details;
 - Arrangement of doors, windows, and other principal architectural features;
2. Ensuring the area dedicate for development is of sufficient size of accommodate the proposal;
3. Provides access which meets appropriate highways standards;
4. The proposal does not lead to tandem development;
5. Minimising exposure of private boundaries to public areas;
6. Not cause significant detrimental impact upon the amenity of adjacent and nearby occupants;
7. Emphasis on provision of family-sized housing;
8. Provided a biodiversity net gains wherever possible;
9. Does not prejudice the satisfactory development of a wider area

The proposed development includes a single detached dwelling to the side of no.19 Ogmore Close. The development measures 2.38m from the side wall of no.19, where two tandem parking spaces are proposed, to serve the existing dwelling. Carparking for the proposed dwelling is provided to the right of the site where viewed from the street, and would be tandem also. The driveway would be enlarged to provide a shared access.

The dwelling would be setback from the main frontage of no.19, some 3.4m from the front elevation. This is similar to the stepping of the semi-detached dwellings, which are ~3.2m setback from one another. The proposal would have a dual pitched roof, with gable end walls, and would have a ridge height matching that of no.19. The detailing to the front would be different to other dwellings. Each dwelling in the area was originally constructed with an enclosed front porch. All dwellings in the area are constructed with a light coloured brick, with exposed brick to the flank walls, and front porches, with hung tiles to the first floor. The proposed dwelling would be constructed of brick, with brick detailing to the front and side walls, including a porch roof, though a setback front door. The proposal would have a three-pane window at ground floor serving a living room, a small window on ground and first floor to the left hand side, and no first floor front facing window to the bedroom above. This is presumably to overcome overlooking concerns as highlighted in previous reasons for refusal.

The existing plot is seen as a buffer zone of green space between Blundells Copse and the dwellinghouses, and the application site is presently an open and substantial gap between two types of differently configured properties albeit of the same age and style; a staggering of pairs of semis to the south-west of the site followed by a row of terraced houses to the south-east. This gap is visible from the junction of Ogmore Close and Corwen Road and from the cul-de-sac end of the close. This gap is well placed as it breaks the continuity of housing as they wrap around the bend in the road. In addition to this the open nature of the site provides pleasant views into the woodland.

The proposed setback appears to attempts to mitigation overlooking toward no.19 which was a previous reason for refusal. Though the building has been brought forward to a similar distance to adjoining dwellings setback this would bring upper floor closer to no.21. This proximity, would result in overlooking to the rear gardens of no.21 should a front facing first

floor window be included. Though it is clear why the window at first floor to the right hand side of the front of the dwelling is not provided, this omission results in a development which, in addition to the differing materials, and impact upon the streetscene discussed elsewhere in the report would be considered to fail policy CC7 and paragraph 135 of the NPPF. It should also be noted that Policy EN8: Undesignated Open Space, states “The quality of existing open space should not be eroded by insensitive development on adjoining land”.

The existing driveway for 19 Ogmores Close will be changed to provide a shared driveway to provide access to the new dwelling. This driveway will open up the corner of Ogmores Close more than the existing situation and will allow views directly into the area proposed as driveway. Negatively covering the existing green space with paving. The majority of the properties in the area, have both a small front garden as well as a driveway; and there are a couple of examples of properties having paved over their front gardens. However, these properties only paved over a small front garden and therefore the amount of driveway - although doubled - remains small. The application site on the other hand, proposes to transform existing side/rear garden space into driveway space for two new dwellings. This would result in the provision of a dwelling behind, and surrounded by carparking, with limited soft space to the front of the dwelling.

Overall, the proposed dwelling is located in such a way that it does not front onto and actively engage with the public realm, it would be at odds with the existing urban grain and urban structure of the area. The site frontage, with limited provision of soft landscaping, and paving over the existing grassed areas in near entirety would fail to maintain or enhance the character of the area. Though the scale, height and massing of the building matches the area, the materiality, including the omission of critical front facing windows, which is necessitated by privacy concerns would also fail to provide high design quality respectful of the character and appearance of the area. The proposal, as an infill development, within a residential garden also fails to make a positive contribution to the character of the area, the building is crammed into a location that cannot adequately accommodate the servicing requirements for it, and results in a cramped and overdeveloped parcel of land. The land is not served by an appropriate access, which is discussed further below. The site would also be detrimental to the amenity of existing and future residents as discussed in the section below.

Overall the development is considered out of keeping with the character and appearance of the area. The addition of the dwelling and its associated carparking, as well as its design are out of keeping with the prevailing form, materials, and architectural detailing would fail to comply with CC7 and H11 of the Reading Borough Local Plan 2019, and paragraph 135 of the NPPF. It should be noted that the design is somewhat dictated by the location of the dwelling relative to adjoining gardens. This means that to overcome overlooking, the omission of normal front windows is required, which is not considered an innovative design in accordance with NPPF paragraph 139.

Residential Amenity and Private Amenity Space

Policy CC8 (Safeguarding Amenity) of the Reading Borough Local Plan states: “*Development will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties, in terms of:*

- *Privacy and overlooking;*
- *Access to sunlight and daylight;*
- *Visual dominance and overbearing effects of a development;*
- *Harm to outlook;*
- *Noise and disturbance;*
- *Artificial lighting;*

- *Vibration;*
- *Dust and fumes;*
- *Smell;*
- *Crime and safety; or*
- *Wind, where the proposals involve new development of more than 8 storeys.*

Paragraph 123 of the NPPF as mentioned above states: “... while safeguarding and improving the environment and ensuring safe and healthy living conditions ...”. Paragraph 135 also states “135. Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; ... f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

Privacy and Overlooking

The proposal is within a backland setting, similar to tandem development, where the proposal does not actively address a street, but rather a internal driveway. This means it is built behind existing building lines, and rear facing windows of adjoining dwellings. The below assessment considers the location of amenity space, and the direct overlooking of primary outdoor amenity areas, being those immediately accessed via doors etc; or secondary outdoor amenity which is not directly accessed from a door. The primary outdoor areas are considered to have more value as outdoor private amenity, as they are closer to dwellings.

The location of windows, and distance to nearby private gardens are as follows (approximate minimum distances):

- From the proposed side facing windows to the rear garden of no. 21 - 9m (primary outdoor amenity area)
- Rear facing window of No. 21 to proposed garden - 13m (secondary outdoor amenity area)
- Closest rear window of No.19 to proposed - 8m (primary outdoor amenity area)

Generally, back to back buildings at two-storeys are sought through the Local Plan to be a minimum of 20m from one another. This would mitigate perceived or actual overlooking into residential gardens. In this instance, all dwellings would have windows which are significantly closer to the primary or secondary than 20m.

Overlooking onto no.21

The proposed new dwelling would provide an obliquely oriented window facing the rear garden of no.21 Ogmores Close. The proposed upper floor would provide only one window for this bedroom, as discussed above with removal of a front facing window. By virtue of this, it is anticipated that the daylight/sunlight and outlook would be only available from this window. Therefore it is more likely that curtains would be open, the window may be open, and privacy as a result would be compromised on no.21. As such, this layout and orientation would be harmful to the amenity of the existing residents of no.21 Ogmores Close contrary to Policy CC8 of the Reading Borough Local Plan 2019 and paragraph 123 and 135 NPPF.

Overlooking into the proposed dwelling

As above, no. 19 Ogmores Close would have two rear facing first floor windows which at the nearest point would be 8m to the primary outdoor amenity of the proposed dwelling. No. 21

would also have two rear facing first floor windows, a minimum of 13m to the secondary side outdoor amenity space of the proposed dwelling. The overlooking as a result of the location, and detachment of the dwelling from the row of stepped semi-detached dwellings is considered to be harmful to the private amenity space of the proposed dwelling. The areas immediately surrounding the house would be subject to direct overlooking from both neighbouring properties, and is considered harmful to the amenity of residents in accordance with policy CC8 of the Reading Borough Local Plan 2019 and paragraph 123 and 135 NPPF.

Access to sunlight/daylight

The proposed dwelling, provides a two-storey dwelling, with three bedrooms. The rear facing bedrooms are provided with good sized windows, and the largest bedroom is provided with a rear and side facing window. The front bedroom at first floor is provide with one smaller side facing window. It is unclear whether this would provide the bedroom with sufficient daylight/sunlight as an East facing window, and with the omission of a front window. Though this could be slightly poor, it is not considered unacceptably poor as to amount to a specific reason for refusal of the application.

Visual Dominance

The proposed dwelling would be built to a setback and depth to the adjoining sets of semi-detached dwellings. These already overlap adjoining gardens by a bit over half of the overall depth of the dwelling. The proposal includes a gap between the dwellings for carparking for the existing dwelling. Due to this separation, and gap between the building would be much more visible in its side elevation than the other dwellings adjoining it. As such, the residents using the carparking area, would have views of a significant side wall. Though this would be potentially overbearing, the use of the carparking would be infrequent, and the enjoyment of the dwelling would not be compromised by this. As such, it would be reasonable in terms of overbearing.

Outlook

The proposed dwelling would generally be given good outlook to most windows. The front window at ground floor serving the kitchen would be provided with a slightly limited outlook, which would look directly onto its own parking, and the large side wall of no. 21 Ogmores Close. This would be considered a habitable room which requires outlook in accordance with Policy CC8. The outlook from this window would be further limited by an existing fence at no.21 and therefore would not provide much outlook to the road, and public realm. This is considered reasonably poor. Though in itself is not considered a reason for refusal.

Private open space

Policy H10 Private and Communal Outdoor Space of the Reading Borough Local Plan 2019 states: *“Dwellings will be provided with functional private or communal open space, including green space wherever possible, that allows for suitable sitting-out areas, children’s play areas, home food production, green waste composting, refuse storage, general outdoor storage and drying space. Houses will be provided with private outdoor space whereas flats may be provided with communal outdoor space, balconies and/or roof gardens.”*

The proposed dwelling is located over an area of the rear garden of no.19 Ogmores Close. The existing residents have a significant garden compared to other dwellings, and use this for various outdoor furniture and a garden shed. Though a significant reduction in the outdoor space of the existing dwelling, the space would be similar in size to that of the adjoining

dwelling, and the adjacent terraced dwellings. It would therefore retain an acceptable amount of outdoor space. The proposed garden for the new dwelling, would be oddly shaped, though would retain a useable area sufficient for potential future residents.

Natural Environment and Ecology

Paragraph 136 of the NPPF states: *“Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.*

Paragraph 180 of the NPPF states: *” Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan) ... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures ...”.*

Paragraph 185 of the NPPF states: *“To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”*

Paragraph 186 of the NPPF states: *“When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused ...”*

Paragraph 188 of the NPPF also states that: *“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”*

The Reading Borough Local Plan 2019, in accordance with Paragraph 185 of the NPPF maps local green spaces. With the adjoining site forming part of Blundell’s Copse and Meadway Sports Ground identified as EN7Wc (9.48ha total). Policy EN7 states that these areas will be protected from development, including erosion of their quality through insensitive adjacent development.

In addition to the designation under policy EN7, policy EN12 Biodiversity and the Green Network. The application site adjoins this designated site of identified biodiversity interest. As per the policy, these areas should be maintained and protected. The policy, also states

that, on all sites, there should not be a net loss in biodiversity, and a net gain should be provided wherever possible. Though this element of the policy is superseded by mandatory biodiversity net gain requirements on all developments in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

The Reading Borough Local Plan 2019 also identifies a number of Major Landscape Features through policy EN13. Blundell's Copse forms part of the West Reading wooded ridgeline. The policy states that *"Planning permission will not be granted for any development that would detract from the character and appearance of the Major Landscape Feature ..."*.

Policy EN16 (Pollution and Water Resources) states that *"Development will only be permitted where it would not be damaging to the environment and sensitive receptors through land, noise or light pollution"*.

The application site is a residential garden. The land is cleared of most significant vegetation and is kept generally as a lawn with some other varied vegetation. Blundell's Copse is seen as an important area of green space within the Borough, as denoted by its varied identification, and as noted in the applicants assessment that the site contains ancient woodlands. Natural England's advice relating to Ancient Woodlands is to provide a 15m buffer from the boundary of the woodland to avoid root damage. It is evident from past development in Ogmore Close that this buffer was implemented as all the existing dwellings at no.19 and 21 are a minimum of 15m from the boundary of the ancient woodland. The advice also makes it clear that the impacts of development upon the native woodland can include additional, damaging or compacting soil, damaging roots, increasing light and air pollution noise and vibration, removing woodland edge or thinning trees, causing greater wind damage and soil loss.

The proposal would include a dwelling well within a 15m distance of the ancient woodland. In addition, the development would include provision of carparking close than the dwelling. The impacts of this would include increased compaction and disturbance of soil, including root damage to trees on the edge of the woodland. The increased light, noise, and vibration would be felt by both the operation of the dwellings, including outdoor use, as well as the increased vehicular traffic nearer than any existing parking/driveways. The potentially sporadic noise and light from vehicles would disturb native fauna who are likely to reside in the woodland. The development would bring urban development closer to a highly important area of vegetation. These impacts would be as whole considered unacceptable and harmful to the area of identified biodiversity value and ancient woodland contrary to policies EN7, EN12, and EN16 of the Reading Borough Local Plan 2019.

In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) Part 2, 13 (1) *Every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition in sub-paragraph (2). (2)The condition is that the development may not be begun unless— (a)a biodiversity gain plan has been submitted to the planning authority (see paragraph 14), and (b)the planning authority has approved the plan (see paragraph 15).*

In the first instance, it is noted that the applicant has provided a BNG assessment which outlines that the development would not provide a biodiversity net gain. The applicants submission appears to suggest that a biodiversity net gain could be provided offsite through purchase of registered credits for an off-site mitigation of the failure to provide on-site BNG. Reading Local Plan Policy EN12 also relates to provision of a an on-site BNG wherever possible, this preceded mandatory BNG as per the Environment Act 2021 as amending the Town and Country Planning Act 1990. On site biodiversity net gain is seen as the most appropriate option as it would provide a direct benefit to offset the immediate impacts of

development. Provision of key values in this location are also seen as a higher priority due to the ancient woodland, and site of biodiversity value with Blundell's Copse. The loss and impact of the development would therefore be further exacerbated by the non-provision of biodiversity net gain within the development site to contribute positively to Blundell's Copse. As such, it is considered unclear how the applicant is seeking to comply with BNG requirements as above, therefore the applicant has failed to demonstrate BNG in accordance with NPPF para. 136; 180; 185; and 186, and Policy EN12 of the Reading Borough Local Plan 2019. The proposed development would result in harm to BNG on-site and harm to Blundell's Copse contrary to policies EN7, EN12, and EN16 of the Reading Borough Local Plan 2019.

Access and Highways Matters

NPPF paragraph 115 states "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The Reading Borough Local Plan 2019 policies relate to provision of parking (where proposed), bicycle and bin storage, waste collection and access (ingress and egress).

Initial comments from RBC's Transport officers sought clarifications as the layout should aim to provide onsite manoeuvring to provide ingress and egress in forward gear, though the amended response removed objection on these grounds. With a shared driveway for four vehicles, and two dwellings, this is demonstration that the provision is overdevelopment of the plot, which crowds the site with the desired parking provision based on the relative accessibility of the site, though the site is within close proximity of a high frequency bus route, and the Tilehurst District Centre.

The proposed development would comply with the transport related requirements of the Reading Borough Local Plan 2019, it is considered unacceptable on other matters.

Sustainable Design and Construction

Limited information on the design and construction of the proposed dwelling have been provided. The Council's policy notes that all development should be constructed to achieve a higher water and emissions reduction standard under building regulations referring to 2013 Building Regulations. This has been superseded by 2021 Building Regulations which seeks a 31% improvement for all new dwellings. Therefore this requirement is considered to be met through subsequent building regulations applications. Notwithstanding, the applicant has not identified any other methods for ensuring the development complies with policy CC2 of the Reading Borough Local Plan, this could include roof top solar (photovoltaic) and/or use of air source heat pumps. Though not a reason to refuse the application on its own, applicants are encouraged to consider additional methods for the reduction of need for resources on all developments and a future submission should include such technologies.

Affordable Housing and CIL

Paragraph 20 of the NPPF states: "Strategic policies should set out an overall strategy for the pattern, scale and design quality of places (to ensure outcomes support beauty and placemaking), and make sufficient provision for: a) housing (including affordable housing), employment, retail, leisure and other commercial development"

Paragraph 34 of the NPPF states "34. Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education,

health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan.”

Paragraph 64 for the NPPF states: *“Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective of creating mixed and balanced communities.”*

In addition, although the NPPF states that (para. 65) that *“Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.”* The local context of Reading, as demonstrated through the plan making process, and the Berkshire Strategic Housing Market Assessment (SHMA) (2016), and the viability appraisal that supported the local plan that Reading’s need is significant, and that developments, including those which are not major development for new dwellings can viably provide affordable housing contributions. As such, the policies are considered sound to apply to the proposed development.

In accordance with Policy H3 of the Reading Borough Local Plan 2019 *“residential development will make appropriate contribution towards affordable housing to meet the needs of Reading”*. In this instance, as per the adopted policy, a financial contribution equal to 10% of the GDV would be secured. In accordance with the Adopted SPD’s Affordable Housing (2021) and Planning Obligations under Section 106 (2015) an section 106 of the Town and Country Planning Act, a legal agreement under s106 would be required to secure this contribution. The applicants submission indicated that they are willing to enter into such an agreement. However, no details to ascertain the GDV of the development has been provided. As no agreement is in place, a reason for refusal will be included relating to this, including an informative that notes this reason could be overcome through provision of a s106 agreement to secure appropriate terms relating to affordable housing.

The proposal would be CIL liable, should approval have been recommended a CIL notice would have followed.

Conclusion

Paragraph 8 within ‘Achieving Sustainable Development’ section of the NPPF states: *“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) an environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

Firstly, in terms of procedural matters, the application has been assessed on the basis of the three overarching objectives. It is acknowledged that the development will bring a modest economic objective, in construction activities. The social objective would provide for affordable housing in the way of an offsite contribution, and the environmental objective of providing a relatively energy efficient home. These elements of the scheme are however generic, and would be applied to any housing development, the benefits would not outweigh the harm identified throughout the report. In addition, in accordance with paragraph 188 of the NPPF, the development is considered to have a significant effect on a habitats site, and therefore the application is not considered to benefit from the presumption in favour of sustainable development.

The development would result ultimately in harm to the character and appearance of the area by virtue of being at odds with the urban grain and urban structure of the area. The development would be cramped as viewed from the streetscene and provide limited interaction and legibility when viewed from the street. The frontage would be dominated by hardstanding to the detriment of the character and appearance of the area. Given the current situation, the development would impact views of Blundell's Copse from public areas and would result in harm to the appearance of the major landscape feature. The development would also, by virtue of its siting, fail to provide adequately private amenity space for future residents, and impinge upon the privacy of existing residents. Therefore, the modest benefits of the proposal do not outweigh the substantial harm identified and the recommendation is to refuse the development.

RECOMMENDATION

Refuse