

DELEGATED PLANNING APPLICATION REPORT

Ward: Caversham Heights

App Ref: 240054/FUL

Address: 98 Conisboro Avenue, Caversham, Reading, RG4 7JF

Proposals: Erection of a new dwelling

Case Officer: Marcie Rejwerska

Date received (valid from): 1 March 2024 Target Decision date: 28 June 2024 (ext.)

1. SITE DESCRIPTION

The application site comprises a detached two-storey dwelling on the east side of Conisboro Avenue in Caversham. The dwelling is set back from the road and has a relatively large rear garden. The immediate surrounding area has a number of garden properties with no frontages onto the street.



Aerial view of the application site.

2. PROPOSAL AND SUPPORTING INFORMATION

Planning permission is sought for subdivision of the plot to erect a new residential dwelling at the rear of the existing property. The proposed dwelling is a single storey, 3-bedroom property, designed to be accessible for a wheelchair user. The property would be accessed by a private access road to the side of the existing dwelling.

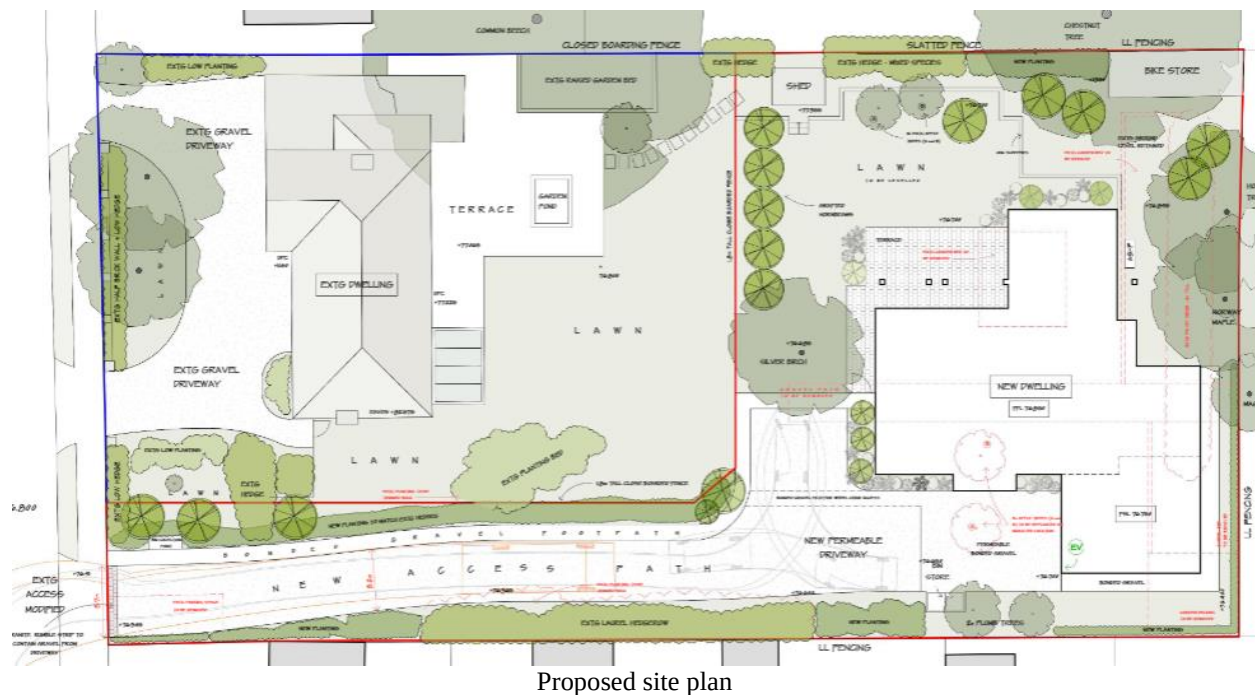
The proposed dwelling measures:

GEA = 279.1m²

Bedroom 1 = 16.91m²

Bedroom 2 = 21.57m²

Bedroom 3 = 24.22m²
Rear garden = 369.25m²



Plans considered:

Sustainability Statement for 98 Conisboro Avenue, dated 7 December 2023
3902/100 - Existing Block and Location Plan, dated July 2023
Preliminary Ecological Appraisal, NKM Associates, dated 23 November 2023
Received 16 January 2024

Planning, Design & Access Statement Rev. A, dated May 2024
MW.2308.CAC.AIA.RevA - Arboricultural Impact Statement, Mark Welby Consulting Arborists,
dated 3rd June 2024
C3300-R1-REV-A_03-06-2024 SUDS - SUDS Report, Nimbus Engineering Consultants, dated June
2024
3902-208-B-Foul Water Drainage Plan
304650 - Energy Statement, dated
3902-208-B-Foul Water Drainage Plan
3902-210-A-Footprint and Profile Revisions Diagram
Small Sites Metric Statutory Biodiversity Metric Calculation Tool
Received 12 June 2024

3902-209-A-Landscape & Ecological Enhancement Plan
3902-207-A-Sections
3902-206-E-Elevations 2of2
3902-205-E-Elevations 1of2
3902-204-E-Roof Plan
3902-203-F-First Floor Plan
3902-202-F-Ground Floor Plan
3902-201-F-Site Plan
3902-200-A-Block Plan
Received 12 June 2024

3. RELEVANT PLANNING HISTORY

None

4. CONSULTATIONS

Non-statutory:

RBC Transport Development Control - Proposed parking, access, cycle storage, EV charging and refuse storage deemed acceptable. Revised plans required illustrating location of the lamp column and vehicle access.

RBC Natural Environment - No comment received.

RBC Environmental Health - The development is situated within 250 metres of a former landfill, therefore there is a risk of land gas being present. Recommended conditions to secure a land gas risk assessment and remediation scheme. Recommended conditions for hours of construction and no burning of waste on site.

Berkshire Archaeology - As shown, the application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development. Recommended condition to secure a written scheme of investigation and its implementation.

Ecology - There are a number of errors in the BNG metric calculation:

1. The habitats within the gardens of the new house should be classified as “Urban - vegetated garden” and not “modified grassland”, “introduced shrub” as shown on the baseline habitats section and in the “Habitats to be created” section.
2. It is also not clear if the proposed ‘vegetable plot “ (which is not shown on the landscaping plan) and “introduced shrub” are included within the area of garden and it may be that there has been double counting of habitats.
3. The post development map shows 13 new trees within the gardens of the new house.
4. These seem to be included in the “Habitats to be created” section of the metric. Trees within gardens should not be included in the metric as trees within private gardens as the metric guidelines read: “ Where private gardens are created, any tree planting within the created garden should not be included within post-development sheets of the metric.”

Public:

The following addresses were consulted by letter.

7 Morecambe Avenue, Caversham, Reading, RG4 7NL
1 Morecambe Avenue, Caversham, Berks
11 Morecambe Avenue, Caversham, Reading, RG4 7NL
15 Morecambe Avenue, Caversham, Reading, RG4 7NL
3 Morecambe Avenue, Caversham, Berks
169 Kidmore Road, Caversham, Reading
100 Conisboro Avenue, Caversham, Reading
98 Conisboro Avenue, Caversham, Reading, RG4 7JF
100A Conisboro Avenue, Caversham, Reading, Berkshire, RG4 7JF
43 Conisboro Avenue, Caversham, Reading, RG4 7JF

Letters of representation have been received as follows:

7 objections received citing concerns relating to:

- Potential disturbance from any external lighting
- Proximity to neighbour boundary
- Unusual internal layout
- Overbearing form
- Reduced garden space
- Loss of privacy for neighbouring residents
- Noise and pollution arising from new access road
- Excessive scale
- Tandem nature of development not acceptable and contrary to LP
- Neighbour's trees omitted from tree survey
- Biodiversity loss
- Surface water drainage impact
- Material choice

1 letter stating no comments to make.

2 letters of support.

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

EN12: BIODIVERSITY AND THE GREEN NETWORK

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

TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING

SPD

Affordable Housing (2021)

Revised Parking Standards and Design (2011)
Sustainable Design and Construction (2019)

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.

APPRAISAL

The main issues to be considered are:

- I) Principle of development
- II) Character and design
- III) Residential amenity
- IV) Transport and parking
- V) Biodiversity and trees
- VI) Other matters

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”.

The definition with the NPPF states that brownfield land (previously developed land) is defined as: “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.” The definition excludes residential gardens.

The principle of the development would therefore need to be assessed in terms of the requirements of the National Planning Policy Framework (NPPF) paragraph 72 that seeks to ensure that policies are set out to resist inappropriate development of residential gardens. The Council’s Local Plan (Policy H11) establishes a number of criteria against which applications for the development of private residential gardens need to be assessed.

Policy H11 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 development;*
 - 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.*

Overall, the principle of additional residential development on this site has not been demonstrated as discussed further in this report.

Design and character

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”*

The existing garden contributes positively to the spacious, verdant, character of the area. Other backland development on adjacent plots is noted although this predates the current local plan and importantly does not alter the spaciousness within the site itself, or that which predominates in the locality. It is considered that proposed dwelling would introduce a marked change in character from spacious, open, vegetated garden, to a more intensively developed residential character. The tandem nature of the proposal is clearly displayed, there is no sense of subservience, or attempt to fit a small dwelling comfortably within a retained spacious garden, and instead the proposal competes with the existing house on the plot and would combine in a harmful change in character as described above.

The introduction of the access, new boundary treatments, a more intensive use of the plot and additional domestic paraphernalia will further erode the spacious garden character referenced above.

Overall, the proposal is not considered acceptable in design terms due to its excessive scale and poor relationship with the surrounding residential plots. Contrary to Policies H11 and CC7/H11 of the Reading Borough Local Plan 2019.

Residential amenity

Policy CC8 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.”*

The property extends close to the neighbouring property boundaries, raising a number of amenity concerns. It is also likely that the development would appear overbearing the neighbours gardens particularly no. 169 Kidmore Road and those on Morecambe Avenue, due to the proximity with the boundaries.

The proposal raises a number of amenity concerns both for the future occupiers and neighbouring residents. Some of major concerns have been addressed and resolved through amended drawings, specifically the removal of south facing dormers due to risk of harm of overlooking and loss of privacy for properties on Morecambe Avenue. A number of concerns remain, however, including poor outlook and access to light for bedroom 1 within the proposed dwelling. This issue is not demonstrated on the proposed plans, as an existing hedge and 3 existing saplings in the neighbour’s garden have erroneously been omitted from the site plans and the arboricultural statements. A figure is attached below to demonstrate their positioning:



Image taken by case officer within the garden of 98 Conisboro Avenue, looking towards the east onto the property boundary with no. 169 Kidmore Road.

Bedroom 1 is therefore likely to have little access to natural light and have a poor outlook onto the hedge (assuming it is to be retained).

The positioning of the dwelling in relation to no. 169 Kidmore Road also raises concerns. Although the relationship would be side-to-rear, it would be experienced as a back-to-back relationship. The separation distance of less than 15m is therefore not acceptable. The property is as such likely to feel overbearing to residents at 169 Kidmore Road due to the stark change in the amount and scale of development proposed within the current spacious context.

Transport and parking

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.

The proposed parking provision, cycle storage and EV charging point are considered sufficient to meet the requirements as set out in the Parking Standards SPD. Further information would be required in relation to the lamp column on Consiboro Avenue, as the new access would reduce the green verge and be closer to the column. However, this could be conditioned and is therefore not considered reasonable to form a reason for refusal.

Biodiversity and trees

Policy EN12 states "On all sites, development should not result in a net loss of biodiversity and geodiversity, and should provide a net gain for biodiversity wherever possible."

The applicant has submitted biodiversity net gain calculations using the latest DEFRA metric. The proposal is not required to demonstrate the mandatory 10% net gain, but is required to demonstrate no net loss on site. Although the submitted calculations demonstrate a net gain, the LPA's ecologist has found a number errors in the methodology of the calculations. Correcting these errors would result in a net loss on site, which is not surprising considering that the proposal entails introduction of large areas of hardstanding within an area of urban garden. Without correct calculations, it is not possible to know the extent of the harm to the environment on site, and therefore not possible to assess the application in full.

Policy EN14 is also relevant, and states "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."

As previously stated, the submitted arboricultural statement fails to identify three saplings within the garden of 169 Kidmore Road, and the line of hedgerow within the application site. Due to this, the submitted information is incorrect and cannot be used to assess the application in full. There is little concern in relation to the remainder of the trees on site, and a full landscaping scheme would have been secured by condition.

Other matters

Contaminated land

The application site is within a 150m buffer of contaminated land (old landfill) which increases the risk of land gas and leachate. A land gas assessment and remediation scheme (if required) would have been secured by condition.

Archaeology

The site lies within land known to have archaeological potential. A written scheme of investigation and its implementation would have been secured by condition.

Affordable Housing

In accordance with Policy H3 of the Reading Borough Local Plan; *“Residential development will make appropriate contribution towards affordable housing to meet the needs of Reading:*

- (...) on sites of 1 - 4 dwellings, a financial contribution will be made that will enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the Borough.”*

Given that planning permission is to be refused for other reasons a section 106 has not been drafted and therefore this would amount to an additional reason for refusal of the planning application.

CIL

The proposal includes the creation of more than 100sqm of new floor space and so would be CIL liable.

Conclusion

The proposal has been assessed in accordance with the adopted national and local policies, and is considered excessive in scale, resulting in an overdeveloped form with subsequent harm to the spacious garden character of the site and the character of the area. The overdeveloped nature of the proposal would also result in harm to residential amenity, contrary to local policies CC7 and CC8. Additionally, the submitted arboricultural statement omits a number of existing vegetation and is therefore insufficient to enable the full assessment of the proposal in relation to trees, contrary to Policy EN14. A recommendation is therefore made to refuse planning permission; it is not considered that the provision of one residential unit within the Borough outweighs the harms identified.

RECOMMENDATION

REFUSE PLANNING PERMISISON

Reasons for refusal:

1. The proposed dwelling, by reason of its excessive scale and footprint, dominant layout and associated access would result in an overdeveloped character harmful to the spacious and open garden character of the site with consequent harm to the character of the surrounding area. As such the proposal is contrary to Policies H11 and CC7 of the Reading Borough Local Plan 2019 and paragraph 72 of the NPPF 2023.
2. The layout and positioning of the proposed dwelling in close proximity to property boundaries with neighbours on Kidmore Road and Morecambe Avenue would result in a stark and uncharacteristic change which would be overbearing on the gardens of those properties . Contrary to Policies CC8 and H11 of the Reading Borough Local Plan 2019
3. The layout and positioning of the proposed dwelling in close proximity to the boundary would result in poor outlook and access to natural light to

bedroom 1, resulting in harm to the amenity of future occupiers, contrary to Policy CC8 of the Reading Borough Local Plan 2019.

4. Incorrect and insufficient information has been submitted to demonstrate that the proposal would not lead to a biodiversity net loss, and that the existing vegetation including hedgerows and trees will not be harmed by the development, contrary to Policies EN12 and EN14 of the Reading Borough Local Plan 2019.
5. In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of affordable housing, the proposal fails to contribute adequately to the housing needs of Reading Borough. The proposal is therefore contrary to Policies H3 and CC9 of the Reading Borough Local Plan 2019 and the Council's adopted Affordable Housing Supplementary Planning Document 2021.