

DELEGATED PLANNING APPLICATION REPORT

Ward: Church

App Ref: 230115/FUL

Address: 9 Highmead Close, Reading, RG2 7NG

Proposals: Erection of two blocks of two flats (four flats in total) with associated parking and access

Case Officer: Mr Matt Burns

SITE DESCRIPTION

The site relates to garden land relating to 9 Highmead Close to the north and to 10 Highmead Close to the west, located on the northern side of Highmead Close at the end of the cul-de-sac. The immediate character of the area is that of 5 similar terraced rows positioned around the cul-de-sac, all of similar design, some of which have been extended. Immediately to the east of the site is the East Reading Wooded Ridgeline, a designated Major Landscape Features and an area of identified biodiversity

PROPOSAL AND SUPPORTING INFORMATION

Full planning permission is sought for the erection of two blocks of two flats (four flats in total) with associated parking and access.

Plans and documents considered:

- Block and Location Plan Dwg No: J.14.2021-06A
- Site Plan Dwg No: J.14.2021-07A,
- Proposed Floor Plans and Elevations 2 No. 2 bed flats (Block A) J.14.2021-08A
- Proposed Floor Plans and Elevations 2 No. 2 bed flats (Block B) J.14.2021-09A
- Proposed Streetscene J.14.2021- 10

- L Planning - Planning, Design and Access Statement;
- Arboricultural Implications Assessment Arboricultural Method Statement & Tree Protection Plan Report by Bartlett Consulting
- Biodiversity Report by Phlorum
- Estate Agent letter with sales valuations from: Lansley and Parkers

RELEVANT PLANNING HISTORY

- 180641/FUL - Two storey dwelling attached to 9 Highmead Close. Permitted subject to legal agreement.

- 211225/FUL - Erection of three dwellings (C3 use). Withdrawn.
- 220159/APC - Application for approval of details reserved by condition 5 (Construction Method Statement) of application 180641. Condition discharged.

CONSULTATIONS

RBC Transport: Two off-street parking spaces are required to be retained for use by both no.s 9 and 10 Highmead Close. The application and submitted plans fail to demonstrate that these spaces can be provided as part of the development. There is an existing dropped kerb onto Highmead Close although it is likely that the dropped kerb will need to be extended to facilitate access and parking for the development (and access to no. 9 & 10). This information is also not shown on the submitted plans.

RBC Natural Environment: Object to the development on the basis of pressure to prune existing trees within the adjacent East Reading Wooded Ridgeline Major Landscape Feature and biodiversity area. This impact is exacerbated by the small garden sizes proposed.

RBC Environmental Protection: No objections.

Ecology Adviser: Object to the development on the basis that it would result in significant harm to the adjacent East Reading Ridgeline lowland deciduous woodland which is 'priority habitat' as defined within the NPPF and is identified area of biodiversity interest forming part of the borough's 'Green Network' under Policy EN12 of the Reading Borough Local Plan 2019.

The following addresses were consulted by letter.

9 Maple Gardens
10 Maple Gardens
10 Highmead Close
11 Highmead Close
9 Highmead Close
7 Highmead Close
8 Highmead Close

A site notice was also displayed at the site on 6th March 2023.

Three letters of representation have been received which cover the following issues:

- Loss of natural light to the rear gardens of no. s 11, 12 and 13 Highmead Close.
- The development would result in increased flooding due to already poor drainage around the site

- Additional traffic congestion and increase in on-street parking and associated air pollution
- Loss of privacy to adjacent rear gardens and impact on residents mental health
- Land to the rear of properties in this part of Highmead Close is ground backfilled by builders when the houses were constructed and is continually moving which is a concern if pilling is required.

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.

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

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

CC9: SECURING INFRASTRUCTURE

EN12: BIODIVERSITY AND THE GREEN NETWORK

EN13: MAJOR LANDSCAPE FEATURES AND AREAS OF OUTSTANDING NATURAL BEAUTY

EN14: TREES, HEDGES AND WOODLAND

EN15: AIR QUALITY

EN16: POLLUTION AND WATER RESOURCES

EN17: NOISE GENERATING EQUIPMENT

EN18: FLOODING AND DRAINAGE

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

SPG/SPD

Affordable Housing (2021)
Revised Parking Standards and Design (2011)
Planning Obligations Under S106 (2015)
Sustainable Design and Construction (2019)

APPRAISAL

Land Use Principles

The application site forms part of the residential gardens of 9 and 10 Highmead Close.

Paragraph 119 of the NPPF (2021) 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 NPPF definition of 'previously developed land' excludes private residential gardens.

Therefore, it is clear that the priority for development should be on previously developed land, in particular vacant and derelict sites and buildings. However, that does not mean that the development of private residential garden land is unacceptable in principle, rather that, previously developed land should be the first choice for housing development.

Policy H11 (Development of Private Residential Gardens) requires that new residential development that involves land within the curtilage of private residential gardens will be acceptable where:

- a) It makes a positive contribution to the character of the area;
- b) The site is of an adequate size to accommodate the development;
- c) The proposal has a suitable access;
- d) The proposal would not lead to an unacceptable tandem development;
- e) The design minimises the exposure of existing private boundaries to public areas;
- f) It does not cause detrimental impact on residential amenities;
- g) The emphasis is on the provision of family housing;

h) There is no adverse impact on biodiversity, and

i) The proposal does not prejudice the development of a wider area.

Whilst redeveloping private residential gardens in themselves could be acceptable in principle, this would be subject to meeting criteria within this policy and other material considerations.

Design and Character

Policy CC7 (Design and the Public Realm) aims to preserve or enhance the character of the area in which a development is in terms of layout, landscape, density, scale, height, massing, architectural detail and materials.

Policy EN13 (Major Landscape Features and Areas of Outstanding Natural Beauty) states that planning permission will not be granted for any development that would detract from the character or appearance of a Major Landscape Feature

The application site comprises garden land set to the sides of the end of two terraces of four two storey dwellings to the north-west corner of the cul de sac. Dwellings within the cul de sac are similar in appearance and have a uniform layout arrangement around the curve of the existing circular cul de sac turning head. The houses are set back from the highway on relatively large plots and have a consistent scale, form, features, and materials. This creates uniformity and a sense of spaciousness. The two corners of the cul de sac is characterised by large triangular plots which are narrow to the front and widening to the rear. These wider corner gaps between properties 9-10 and also to the opposite corner at 14-15 at the north of the close emphasise the visual symmetry and balance to the road.

Front boundary treatments within the cul de sac consist largely of hedges, however at the end of the cul de sac, particular the two corners, one of which where the application site is located the frontages are more open and are laid completely with hardstanding for parking. This openness allows for views of surrounding trees within the East Reading Wooded Ridgeline Major Landscape Feature and biodiversity area, above the houses and through the gaps between the terrace blocks, forming an overall verdant and spacious character.

Two 2 storey buildings, each containing two flats, are proposed which, due to the sites narrow frontage would be set back in the site compared to the frontages of both no.s 9 and 10 Highmead Close. One of the proposed block, referred to as block B on the proposed plans, would be attached to the north flank elevation of no. 9. This block would have a similar footprint to an approved development for a new attached dwelling to this elevation of no. 9 under planning permission ref. 180641. The applicant states that this permission has been implemented on site with foundations having been laid.

The other proposed block, referred to as block A on the proposed plans, would be a detached block positioned 1.6m from the west flank elevation of no. 10 Highmead

Close. The development would be served by a vehicular access from Highmead Close which would run between the two blocks to a proposed vehicle parking and turning area for the development containing six spaces. At their closest point the blocks would be separated by a distance of 3.8m between the front (south elevation) of block A and north flank elevation of block B.

The proposed development and introduction of two 2 storey blocks in the current open garden space between the two existing dwellings in the northwest corner of the cul de sac would result in a development layout that would be at odds with the prevailing and uniform pattern of the terraced houses within the cul de sac. The introduction of the two proposed buildings on this land would significantly disrupt the balance and symmetry of this part of the road, having a detrimental impact on the character of the cul de sac.

Furthermore, at two storeys in height, the cumulative impact of both blocks would be to largely obscure the views of the East Reading Wooded Ridgeline Major Landscape Feature, to this corner of the cul de sac. This is considered detrimental to the wider character and symmetry of the cul de sac whereby the views of the Wood to each of the corners provide a balanced and verdant setting.

It is acknowledged that planning permission was granted in 2018 for an attached dwelling to no. 9 (ref. 180461) which is of a similar footprint to block B of the proposed development. The Applicant advises that this permission has been implemented. Whilst works have begun, no evidence has been provided as part of the current planning application to confirm exactly when this work was carried out (the planning permission lapsed in March 2022) and therefore it not possible to confirm whether this permission has been lawfully implemented. However, whether or not the development has been lawfully implemented is not considered material to the assessment of this application given that the attached dwelling that was permitted to no. 9 allowed retention of adequate gapping and relief and allow the spacious character of the corners of the cul de sac to be retained. The proposed introduction of two buildings does not allow for retention of this gapping or of the wide and spacious character of the corner plots which is a key aspect of the character of the cul de sac.

In a similar respect the presence of the completed two-storey side extension to no. 15 Highmead Close (planning permission ref. 181379) is also acknowledged which as with the permitted attached building to no. 9 allows for retention of suitable gapping and the spacious and verdant character to the end of the cul de sac.

The out of keeping nature of the layout and pattern of the proposed development is also exacerbated by the inclusion of very small private garden areas to each of the proposed flats. The proposed gardens are significantly smaller than the garden areas found to existing surrounding dwellings and appear cramped. In contrast the development is dominated by a large central area of hardstanding providing the car park, access road and vehicle turning area for the flats between the two blocks. This extensive area of

hardstanding would have negative impact on the character of this part of the cul de sac in completely eroding the green and open garden spaces which provide the current open and green character to the corners of the cul de sac. Furthermore, the layout of garden areas is contrived with direct access from the flats to the garden areas only provided for two of the four flats with the other occupiers of the other two flats have to access the garden spaces via communal areas. In this respect the proposals are also considered contrary to Policy H10 (Private and Communal Outdoor Space) which requires that dwellings are provided with functional/usable private or communal opens space and that the design of such spaces respects the size and character of similar spaces within the vicinity.

Taking the above matters into account the proposals are considered to be an overdevelopment of the site, contrary to Policies CC7 (Design and Public Realm), H10 (Private and Communal Outdoor Space) and H11 (Development of Private Residential Gardens).

Natural Environment

Policy EN12 (Biodiversity and the Green Network) states that development proposals should retain, protect and incorporate features of biodiversity. Permission will not be granted for development that negatively affects the sites with identified interest or fragments the overall Green Network which includes areas with potential for biodiversity value such as this site.

The proposed development is located directly adjacent to East Reading Wooded Ridgeline – an area of mixed deciduous woodland which is “priority habitat” (as defined in the NPPF) of “lowland mixed deciduous woodland” and is identified as an area of ‘biodiversity interest’ forming part of the boroughs ‘Green Network’ under Policy EN12 of the Reading Borough Local Plan. The Council’s Ecological Adviser considers that the proposed development would have an adverse impact upon the woodland and “priority habitat”, including:

- reducing the amount of semi-natural habitats next to the woodland
- increasing the amount of built form adjacent to the woodland resulting in
- overshadowing
- increasing the amount of light and noise pollution
- increasing disturbance to wildlife
- increasing damaging activities like fly tipping
- the introduction of non-native species from the garden
- Increasing the pressure to fell and lop trees

In this respect the proposals are considered to be contrary to Policy EN12 which seeks to protect areas of biodiversity interest such as “priority habitats” and the Green Network.

An ecology report has been submitted with the planning application which assess the likely impacts of the proposed development on the ecology and habitats within the application site, but the report does not make any assessment of the impact of the proposals on the adjacent woodland priority habitat or wildlife within.

Paragraph 180 of the NPPF refers that “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”. Policy EN12 also goes on to state that development should “Protect and wherever possible enhance features of biodiversity interest on and adjacent to the application site, incorporating and integrating them into development proposals wherever practicable”. The Council’s Ecological Adviser considers that the deterioration of priority woodland habitat that would occur as a result of the proposed development would be “significant harm” and that no avoidance, or mitigation or compensation measures are considered to be able to be provided which would overcome this harm nor are any proposed as part of the application.

The adverse impacts of the proposals on the adjacent Woodland described above are also considered to be contrary to Policy EN14 (Trees, Hedges and Woodland) which seeks that “Individual trees, groups of trees, hedges and woodlands will be protected from damage or removal where they are of importance...”. The proximity of the proposed small garden spaces to the woodland is considered to result in unacceptable long-term pressure to prune to existing trees within the woodland due to overshadowing and leaf drop to the garden areas.

In terms of on-site impacts the submitted ecological report states that the site hosts a badger sett and recommends that a badger survey is undertaken however no further surveys have been submitted. Badgers are a protected species, and the planning application fails to demonstrate the extent or not to which badgers may be affected by the proposals, meaning that the on-site implications of the proposals also fail to accord with the requirements of Policy EN12.

Unit Mix and Affordable Housing

Policy H2 (Density and Mix) identifies a need within the borough for family sized units of accommodation of two or more bedrooms. The proposals would provide 4 x two-bedroom units and therefore are considered compliant in respect of unit mix.

Policy H3 (Affordable Housing) sets out that for developments 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. Therefore, as a proposal for four new dwellings the development is required to make an affordable housing contribution. The supporting documentation with the application indicates a

willingness to provide the required contribution but given the proposed development is considered to be unacceptable for other reasons a section 106 legal agreement to secure the necessary contribution has not been progressed. Therefore, lack of a section 106 agreement to secure the required affordable housing contribution would represent a further reason for refusal of the application.

Amenity Matters

Policy CC8 (Safeguarding Amenity) seeks to ensure development does not cause harm to the living environment of existing properties, in terms of loss of privacy, overlooking and visual dominance, amongst other things. Policy EN16 (Pollution and Water Resources) seeks to protect surrounding occupiers from the impact of pollution.

The scale and siting of the buildings are such that they are not considered to result in an adverse overbearing or overshadowing impacts upon the existing adjacent or proposed new dwellings. No overlooking is considered to occur from the proposed front and rear first floor windows. A single first floor side facing bathroom window is proposed to both blocks which can be secured as obscurely glazed by way of condition to prevent any overlooking to neighbouring dwellings.

Block B of the proposed development is considered to provide for a poor and unacceptable standard of amenity for future occupiers. Both the ground and first floor flat to this block would not adhere to the national space standards in terms of their overall size, both units would be less than 61m² which is the minimum size required for a 2-bedroom 3 person flat. Furthermore, the single bedroom to both flats would be less than 7.5m² in size which is the minimum size sought by the national standards. Policy H5 (Standards for New Housing) requires the new housing development adhere to the national space standards and therefore the proposals would be contrary to this Policy and are considered to provide for a cramped poor standard of accommodation for future occupiers.

Sustainability

Policy H5 (Standards for New Housing) requires that all new dwellings achieve a minimum 19% improvement in the dwelling emission rate and higher water efficiency standards as defined in 2013 Building Regulations. The proposed plans state that the new dwellings would meet these standards – evidence of which could be secured by suitably worded conditions should it have been recommended that planning permission for the development be granted.

Transport

Policy TR5 states that development should provide car parking and cycle parking that is appropriate to the accessibility of locations within the Borough to sustainable transport facilities, particularly public transport. Local parking standards are set out in the RBC, Revised Parking Standards and Design Supplementary Planning Document (SPD) which takes into account the accessibility of the site. The site is located in Zone 3,

Secondary Core Area and the parking requirement in this zone 1.5 spaces per 2-bedroom apartment.

The Design and Access Statement submitted with the application states that the new flats would be served by a shared access point and associated parking in a courtyard arrangement. A total of 6no. parking spaces are to be provided for the new flats which complies with the Council's adopted Parking Standards SPD. However, it is stated that 2 car parking spaces will be retained for no. 9 & 10 Highmead Close, but these spaces are not shown on the proposed plans and it is unclear that these spaces can be accommodated together with the new access to the development. Therefore, the application fails to demonstrate that adequate off-street parking provision of the existing dwellings can be provided as part of the development and that the existing amenities of the occupiers of neighbouring residential properties would not be harmed by adding to the already high level of on-street car parking in the area contrary to Policies TR3 (Access, Traffic and Highway Related Matters) and TR5 (Car and Cycle Parking and Electric Vehicle Charging).

If the recommendation were to grant planning permission for the development, then details of cycle storage, bin storage and electric vehicle charging facilities for the development could be secured by way of suitably worded condition.

Matters Raised in Representation

Objections to the development have raised concerns over flooding. The site is located within flood zone 1 which is areas at the lowest risk of flooding. The submitted plans indicate provision of soakaways in the site to deal with surface water drainage which is considered to be adequate for the proposed development.

Concern has also been raised regarding ground stability during the construction process. Such matters are not material planning considerations, and it would be the responsibility of the developer to secure the appropriate other consents and licenses to ensure the development is built safely and to an appropriate standards. If it was recommended that planning permission for the development be granted, then a condition would be attached to secure submission and approval of a construction method statement to ensure that the impact of construction work on existing surrounding occupiers can be appropriately managed and mitigated.

All other matters raised are considered to have been addressed in the Appraisal section of the report above.

RECOMMENDATION

REFUSE planning permission for the following reasons:

1. The proposed development of two 2 storey blocks of flats in the open garden space between the two existing dwellings in the northwest corner of the cul de

sac would result in a development layout that would be at odds with the prevailing and uniform pattern of the terraced houses within the cul de sac and would disrupt the spacious and verdant character of the corner space between nos 9 and 10 Highmead Close which together with the space between nos 14 and 15 Highmead Close contributes positively to the balance and symmetry of the cul de sac. Furthermore, the layout of the development including small and poorly accessible private garden amenity spaces and the dominance of hardstanding is considered to represent an overdevelopment of the site. The proposed development is contrary to Policies CC7, H10 and H11 of the Reading Borough Local Plan 2019.

2. The proposed development of two 2 storey blocks of flats would; as result of loss of existing semi-natural habitat next to woodland, increased overshadowing from increased built form adjacent to woodland, associated noise and light pollution and disturbance to wildlife and increased pressure to fell and lop trees, result in significant harm to the adjacent East Reading Wooded Ridgeline, an area of mixed deciduous woodland and 'priority habitat (as defined by the NPPF) and area of 'biodiversity interest' forming part of the boroughs 'Green Network'. The proposed development is contrary to Policies EN12 and EN14 of the Reading Borough Local Plan 2019.
3. The two proposed flats within Block B of the proposed development would fail to provide residential accommodation of a size which would comply with the Nationally Prescribed Space Standard and are considered to provide for a cramped and poor standard of residential accommodation that would be detrimental to the amenity of future occupiers. The proposed development is contrary to Policies H5 and CC8.
4. The proposed development fails to demonstrate that adequate off-street parking provision of the existing dwellings to be retained at nos 9 and 10 Highmead Close can be provided as part of the development and that the existing amenities of the occupiers of neighbouring residential properties and safety and functioning of the highway would not be harmed by adding to the already high levels of on-street car parking in the area. The proposed development is contrary to Policies TR3 and TR5 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, contrary to Policies H3 and CC9 of the Reading Borough Local Plan 2019 and the Council's Adopted Affordable Housing Supplementary Planning Document 2021.