

DELEGATED PLANNING APPLICATION REPORT

Ward: Caversham

App Ref: 240122/VAR

Address: 10 Anglefield Road, Caversham, Reading, RG4 5HP

Proposals: Extending the first floor on top of the part of the existing rear extension.

[Application for removal or variation of a condition following grant of planning permission.

App Ref: 210882 - revisions to submitted plans].

Case Officer: Marcie Rejwerska

Date received (valid from): 31 January 2024

Target Decision date: 27 March 2024

1. SITE DESCRIPTION

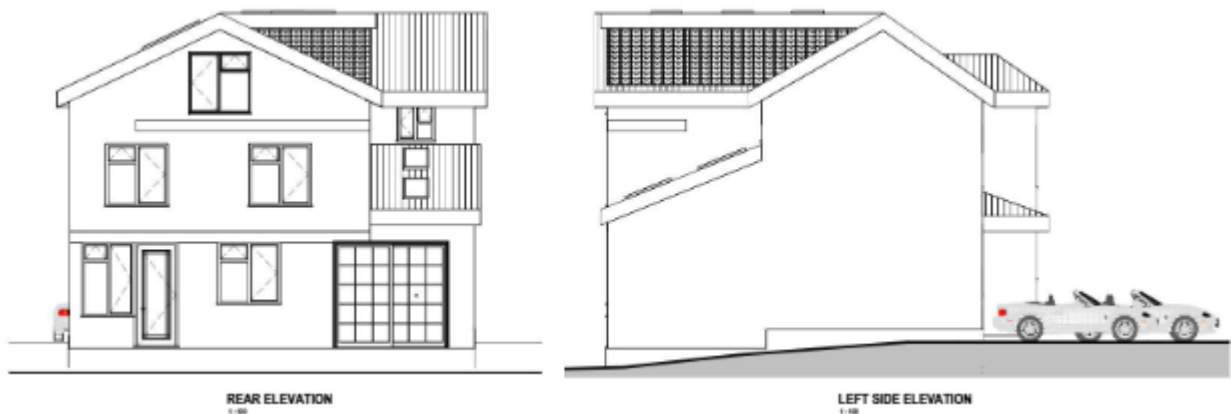
The application site comprises a two-storey end-terrace dwelling on the south side of Anglefield Road in Caversham. At the time of this application, a two storey extension has been constructed with a rear dormer. There is also an existing outbuilding at the rear of the plot which falls under permitted development. The surrounding area is residential, characterised by short terraces and semi-detached properties in similar character with varying extensions.



Aerial view of the rear of the property. Image taken from Google Maps on 04/07/2024.

2. PROPOSAL AND SUPPORTING INFORMATION

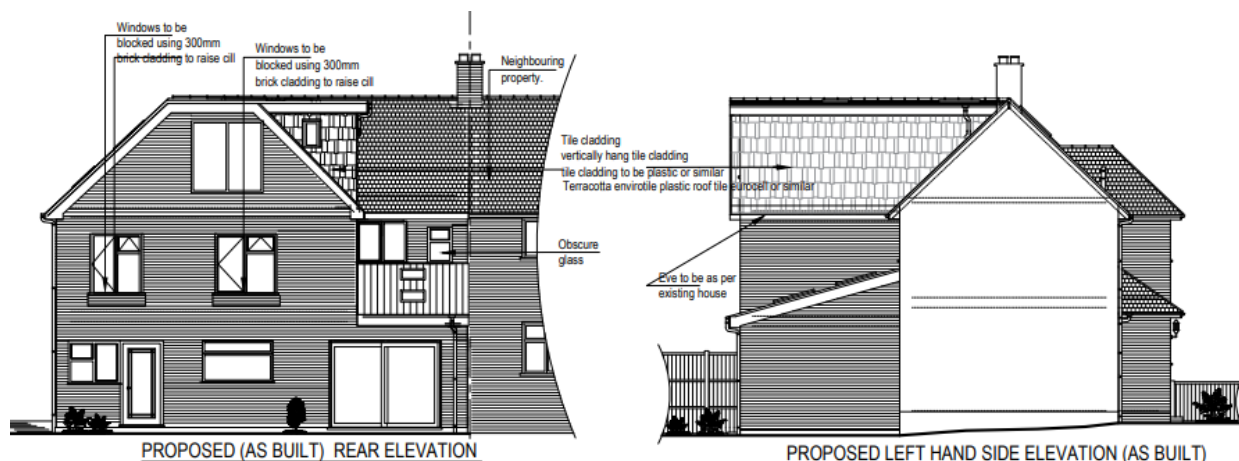
The applicant is seeking to vary condition 2 (approved plans) of planning permission 210882, which granted permission for a first floor extension above the existing ground floor extension. This permission was later varied under application ref. 211335 to include a rear dormer. The completed works are not in accordance with the approved plans, specifically relating to the pitch of the rear extension, the rear dormer and the rear elevation fenestration and are considered to be unauthorised. The proposed plans do not aim to regularise the unauthorised works, but rather proposed how the harm created would be resolved through amendments.



Approved elevations under application ref. 211335



Photograph of completed works, taken by case officer on 07/03/2024



Proposed amendments to completed works

Plans considered:

Design Access Statement, received 1 February 2024

2259-P05 - Location Plan, dated January 2024, received 1 February 2024

2259-P02 - Existing Elevations, dated January 2024, received 1 February 2024

2259-P01 - Existing Floor and Roof Plans, dated January 2024, received 1 February 2024

Officer note: the above existing plans show the property prior to planning applications 210882 and 211335

2259-P03 - Proposed Floor and Roof Plans, dated January 2024, received 1 February 2024

2259-P04 Rev C - Proposed Elevations, dated January 2024, received 3 May 2024

3. RELEVANT PLANNING HISTORY

210360 - Part one, part two storey rear extension - Application withdrawn

210882 - Extending the first floor on top of the part of the existing rear extension. - Application permitted

211335 - Application for variation of condition 3 following grant of planning permission. (Application 210882) - Application permitted

221646 - Application for variation of condition 2 following grant of planning permission 211335 (Extending the first floor on top of the part of the existing rear extension) - to rectify existing roof angle error in the approved drawing GDR-GL-20-00101 Rev C. (amended) - Application refused

230578 - Proposed outbuilding in rear garden - Certificate of lawfulness granted

4. CONSULTATIONS

The following addresses were consulted by letter.

12 Anglefield Road, Caversham, Reading, Berkshire, RG4 5HP

8 Anglefield Road, Caversham, Reading, RG4 5HP

7 Lower Henley Road, Caversham, Reading, RG4 5LD

9 Lower Henley Road, Caversham, Reading, RG4 5LD

2 objections received relating to:

- No objection to approved works, objections to completed works.
- Overlooking/loss of privacy
- Poor design and appearance
- Overbearing scale and visual dominance
- Out of character with local area
- Incorrect drawings submitted

5. LEGAL AND PLANNING POLICY CONTEXT

S73 of the Town and Country Planning Act 1990 provides the ability to vary a condition on a planning permission. The Town and Country Planning (Development Management Procedure) (England) Order 2010 streamlined the procedure to enable local planning authorities to use its discretion on which statutory consultees should be consulted when such an application is submitted in order to speed up the system by being more flexible. This Statutory Instrument was accompanied by 'Greater flexibility for planning permissions' which contained relevant guidance. This states that a minor material amendment is 'one whose scale and nature results in a development which is not substantially different from the one which has been approved'. This is not a statutory definition and the decision on what constitutes a minor material amendment is at the discretion of the local planning authority but is considered to include, "any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved".

Section 73 of the Act instructs the Local Planning Authority to consider the variation to, or relief of conditions that are applied for, stating that "if they [the LPA] decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted....they shall grant permission accordingly" (s.73(1)(a)). As such, the Local Planning Authority can grant permission unconditionally or subject to different conditions, or alternatively refuse the application if it is deemed that the original condition(s) should remain in place.

The grant of a planning permission under Section 73 essentially provides a new planning permission. It is therefore necessary to reconsider the overall development proposal against the development plan. The key issues for consideration comprise the principle of the development whilst having regard to the impact upon the character and appearance of the area, the effects on traffic generation and highway safety, amenity and the natural environment.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.

However the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12). Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

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

CC7: DESIGN AND THE PUBLIC REALM
CC8: SAFEGUARDING AMENITY
H9: HOUSE EXTENSIONS AND ANCILLARY ACCOMMODATION

SPD

Design Guide to House Extensions 2021

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

Character and appearance

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.”

Previously refused application ref. 221646 aimed to regularise the completed works and was subsequently refused based on the identified harm both in terms of design and impact on residential amenity. The purpose of this resubmission is therefore not to regularise the completed works, as it the harm has already been identified, but to propose amendments to resolve the identified harm.

The proposed amendments include:

- Replace rear elevation first floor windows
- Amend the rear dormer to include hanging tile cladding
- Replace rear dormer window

The proposed works are not considered sufficient to address the harm already identified as resulting from the completed works. The dormer has been erected in a way which translates to an almost third storey - the proposed amendment to include hanging tile cladding does not address its actual scale which dominates the roof slope and the resulting overbearing impact which ultimately harms the character of the property and the wider area.

Similarly, the proposal to replace some of the rear elevation fenestration has not sufficiently addressed the identified harm to the appearance of the property. It is unclear from the submitted drawings whether the windows will be replaced at all or simply introduce additional cladding to hide the extent of the size of the windows. Full length windows at the rear elevation are not appropriate in this case and are considerably out of kilter with the wider fenestration layout of the property, thus harming its appearance.

Overall, the proposed plans insufficiently address the harm identified by the completed works and the proposal is unacceptable in its own right. The proposals are not considered an acceptable solution to the existing situation, and on their own would continue to create the same identified harm.

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”*

Similarly to the design considerations, the completed works present a number of identified harms to residential amenity for the neighbouring residents and as such, it would not be acceptable to regularise the completed works. However, the proposed amendments also do not sufficiently resolve these matters. The rear dormer has not been scaled down and as such remains an overbearing and visually dominant feature which presents the most harm to the adjoining number 12 Anglefield Road. The fenestration layout similarly increases the risk of perception of overlooking and loss of privacy due to the use of full length windows. The application site slopes down dramatically towards the south and this only further exacerbates this harm.

Overall, the harm created by the completed works remains unresolved through the proposed works, and the proposed amendments would continue to create the same harms.

Other matters

No other aspects of this proposal are considered affected by the completed works.

Conclusion

The proposed works are not considered acceptable on their own merit, nor within the context of the completed works and the previously granted permissions and variations on the site. The matter of the unauthorised works remains unresolved and the matter is referred to the Planning Enforcement team.

RECOMMENDATION

REFUSE

1. The submitted plans do not sufficiently address the harm created by the unauthorised works and continue to perpetuate the harm identified, in particular due to the unsympathetic fenestration layout at the rear elevation, and the dominating rear dormer, both of which harm the character and appearance of the property and that of the wider area, contrary to Policy CC7 and H9 of the Reading Borough Local Plan 2019.
2. The submitted plans do not sufficiently address the harm to residential amenity created by the unauthorised works, and continue to perpetuate harm to neighbouring residents through a dominating and overbearing structure and perceived loss of privacy by way of an unsympathetic fenestration layout, contrary to Policy CC8 of the Reading Borough Local Plan 2019.

