

DELEGATED APPLICATION REPORT

Ward: Church

App Ref: PL/24/0680 Householder planning permission

Address: 115 Blagdon Road, Reading RG2 7NJ

Proposal: Part retrospective retaining rear garden structure for cat protection across all boundaries at the rear. New redesign of front drive with new retaining walls.

Applicant: Mr Erich Krall

Received date: 26-05-2024

Target Decision date: 06-09-2024 EXT

Case Officer: Alison Amoah

1. SITE DESCRIPTION

This is two storey mid terraced property. The land slopes up to the rear boundary, however, there have been previous extensions and reprofiling (approved under 06/0587), such that a large part of the garden is at the same ground level as the house, whereas the adjacent houses have sloping gardens with the ground level higher than at the application site for the majority of the depth of the plots at roughly the top of the retaining wall. There are steps up to the rear of the application garden.

The rear garden boundaries comprise an existing boundary wall with two main fencing types on top, these fences are what retrospective permission is sought for.

To the front is an existing raised front garden area with retaining walls adjacent to the front elevation and steps to the front door. The driveway is at a lower level (as can be seen in the photographs below) and there is a range of fencing to the boundary with the adjacent property at no. 113.

Site visit date: 7th June 2024

Site visit photos:



Looking towards the rear from the first floor



From the top of the garden towards the house



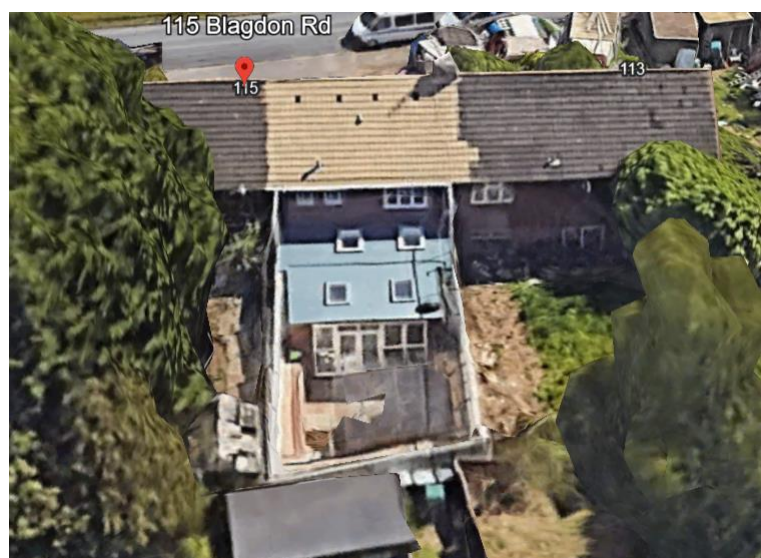
From ground level next to the rear of the house



Raised front garden and driveway



Boundary between application site and no. 113



Aerial image from Google Earth

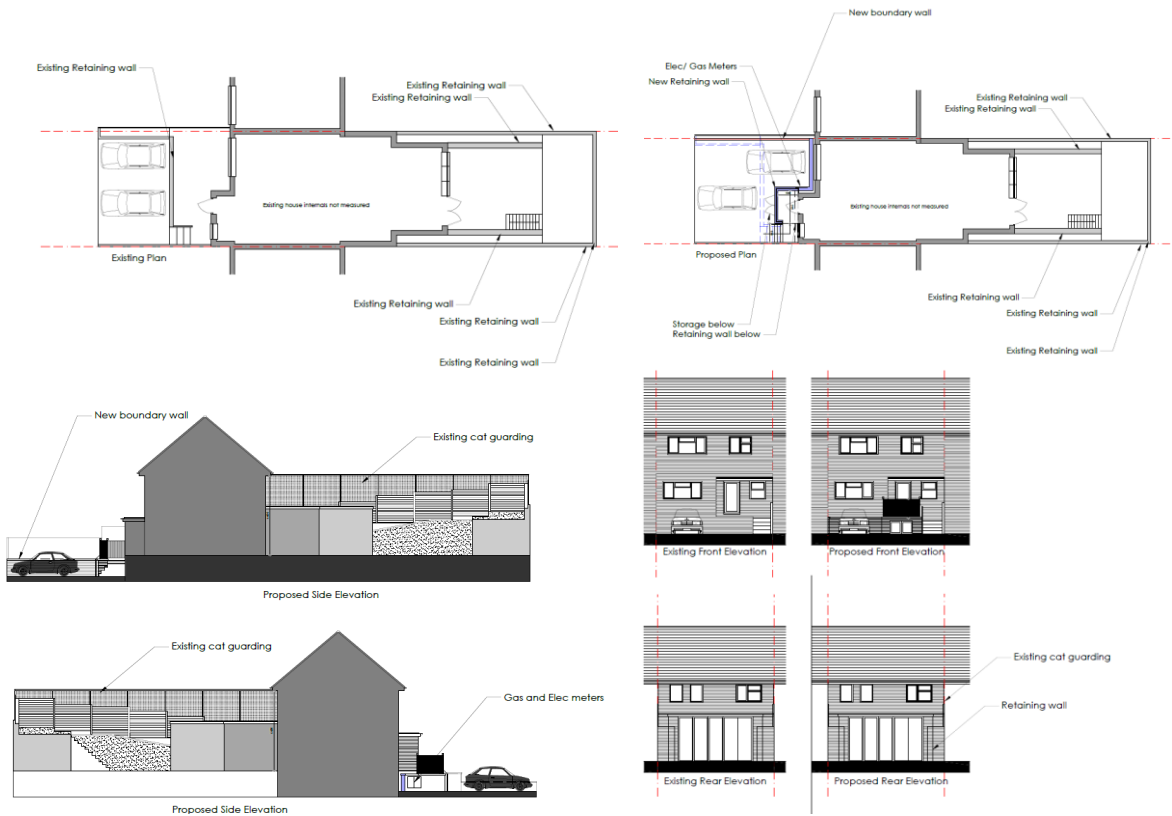
2. PROPOSAL AND SUPPORTING INFORMATION

The proposal is for:

- The rear boundary fencing (wooden horizontal panelled);
- A section of open form metal fencing, with Perspex, on top of the wooden fencing, described as cat guarding; and
- Changes to the front comprising removal of some of the existing elevated section to create an additional area at ground level to the driveway;
- New retaining walls, storage below, new fence to top of retaining wall, installation of gas and electric meters and a new boundary wall (ca 1m in height) between the application site and no. 113.

Plans and other information considered

- Drawing no: AFRS-PL-100, dated 15/5/24 – Location and Block Plan, received 15th June 2024
- Drawing no: AFRS-PL-200, dated 15/5/24 – Section Elevations Existing, received 28th May 2024
- Drawing no: AFRS-PL-300, dated 15/5/24 – Section Elevations existing [shows proposed], received 28th May 2024
- Drawing no: AFRS-PL-301, dated 15/5/24 – Plan Proposed, received 28th May 2024
- Drawing no: AFRS-PL-302, dated 15/5/24 – Elevations Front and Rear, received 6th June 2024
- Design and Access Statement, received 28th May 2024



Existing and Proposed Plan and Elevations

3. RELEVANT PLANNING HISTORY

06/0587 - Terracing for rear garden with new retaining walls – Approved 6/9/2006

4. CONSULTATIONS

RBC Transport: The proposed works do not change the existing parking or access arrangements and there is no impact on other road users, therefore, there are no Transport objections to this application. However, the submitted red line plan does not accurately reflect the extent of the property boundary and includes part of the public highway, therefore for completeness a revised red line plan should be submitted.

Planning Officer Note: A revised plan was submitted, which Transport confirmed was acceptable.

The following addresses were consulted by letter.

32 & 34 Birdhill Avenue and 113 & 117 Blagdon Road, RG2

A letter of representation has been received as follows:

An objection from 113 Blagdon Road. The issues raised are summarised as follows:

- Creating a driving space where you have to reverse onto the road is dangerous.
- The driveway is not large enough to park a car on;
- The digging out and retaining walls may not be strong enough and may damage our foundations; - *Planning Officer note: This is not a material planning matter.*
- Parked cars close to the living room cause noise and particle pollution;
- The fence on the boundary interrupts the light and view. Calling this a cat protection fence is a farce; A cat could still climb up and over it; and
- The level and size of development at the property is overdevelopment.

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

National Planning Policy Framework 2023

National Planning Practice Guidance: Preparing a flood risk assessment: standing advice

Reading Borough Local Plan (2019)

CC7 (Design and the Public Realm)

CC8 (Safeguarding Amenity)

H9 (House Extensions and Ancillary Accommodation)

H10 (Private and Communal Outdoor Space)

SPD

Design Guide to House Extensions SPD (2021)

6. APPRAISAL

Character and Appearance

Policy H9 states that an extension to a house will be acceptable where it respects the character of the house in terms of scale, location, materials and design and respects the character and pattern of neighbouring properties and the street as a whole in terms of scale, location, materials and design, and any important existing building line. Policy CC7 also sets out relevant considerations for design.

The retrospective element of the proposal is for the existing fencing on top of the previously approved retaining wall. The wooden fencing is staggered up towards the rear and the see-through section with circular metal rail to the top, takes the top of the structure to the eaves of the house creating a total height, from ground level of the application site, of ca 4.57m, but ca 2.5 above the ground level of the grassed areas of adjacent houses. It should be noted that a small area, closest to the rear of the adjacent houses, is at the same ground level as the application site.

The applicant has explained that the additional fencing height and materials used are designed to prevent cats from being able to climb out of the garden into adjacent gardens.

This is an unusual situation where the ground levels mean that the structure of the staggered main wooden fence is at a relatively standard height above the retaining wall structure at ca 1.65m or lower. The section above this, which makes the overall fencing higher, has an open structure that allows light to pass through and views are possible through it.

A condition has been included requiring the removal of the top section of fencing (open mesh) once there is no longer a need for this and a condition to ensure that the top section of fencing, whilst required, is retained in its open form.

In terms of the proposal to the front, this would create an extension to the front driveway area through a reduction in the elevated section adjacent to the front of the house. The proposed retaining walls, new boundary wall and fencing to the top of the elevated section would enhance the appearance of the front of the site.

Residential Amenity

Policy H9 states that an extension will be acceptable where it does not result in an overbearing impact on neighbours. Policy H10 seeks to ensure that the amenity of gardens and other outdoor areas are not compromised. Policy CC8 states an extension to a house will be acceptable where it will not cause a significant detrimental impact to the living environment of existing or new residential properties.

Officers appreciate the neighbour's concerns, but the applicant has also justified the boundary enclosure. While not condoning applications that are submitted retrospectively, in this case being able to see the non-standard boundary has helped to alleviate concerns for harm being caused to neighbours through loss of outlook or shadowing.

The rear fencing assists in enabling the occupiers to have personal enjoyment of the dwellinghouse, and although as a structure it is visible to the adjacent neighbours, it is not considered that it would be overbearing or cause loss of daylight and sunlight, especially in

the context of the height of trees within the garden of no. 117 and growth which has been previously evident in the garden of no. 113 (photo from 2016 below).



In terms of the proposals for the front driveway there were no objections from Transport in terms of scale of the driveway or that it would cause any danger to road users.

With respect to matters raised by the neighbour regarding noise and particle pollution it is not considered that a few cars, with limited movements on a daily basis, would create a significant issue in this regard and it is a normal arrangement for a domestic property. There are existing fencing panels, which minimise this impact.

It is not considered that the existing and proposed development has or would have any detrimental effects with regard to privacy and overlooking, overbearing effects and sunlight and daylight provision. In compliance with Policies H9 and CC8.

7. CONCLUSION

The proposed development has been assessed as set out above and is considered to be acceptable on that basis, subject to the following conditions.

8. RECOMMENDATION

Application Permitted

Recommended Conditions:

Standard time limit.

Approved plans.

Matching materials.

Remove top section of fencing when no longer required for the stated use.

Retain material of top section of fencing as existing whilst in use for the purpose stated.