

DELEGATED APPLICATION REPORT

SITE ADDRESS: Warren Creek, The Warren, Caversham, Reading, RG4 7TQ

APPLICATION NUMBER: 231270/FUL (new reference: PL/23/1270)

PROPOSAL: Demolition of existing dwelling and outbuildings and the erection of a 4-bed detached dwelling with garage.

DETERMINATION DATE: Originally 08/12/2023, but an extension of time was subsequently agreed with the agent for the application to be determined by 28/06/2024

CASE OFFICER: Jonathan Markwell

1. Site Description and Surrounding Area

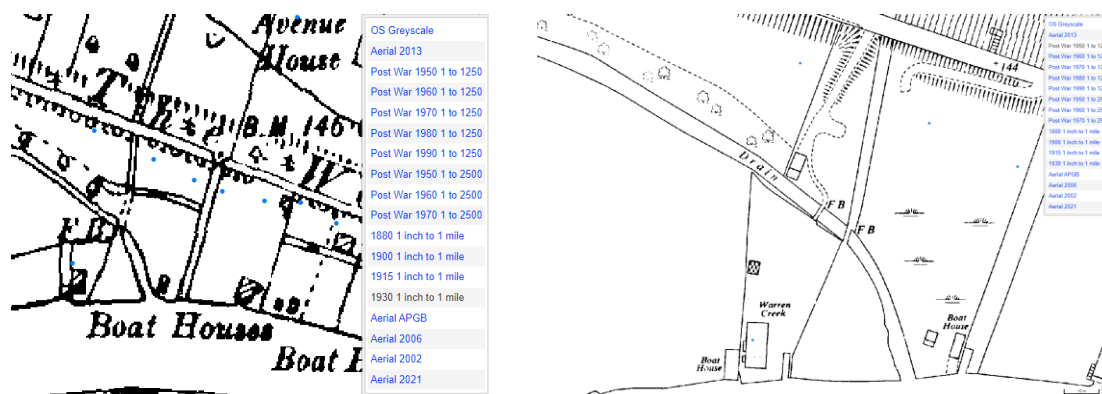
- 1.1 The application site is located on the south side of The Warren and includes an existing dwelling house close to the riverbank of the River Thames, at the southern end of the site. Unusually, there is also a creek running through the middle part of the site, which filters into the Thames further to the east. The site is roughly rectangular in shape, close to 100m in length (north to south) and varying from just in excess of 10m (at the northern boundary) to around 30m (in the mid-point of the site) in width. It is located towards the western end of The Warren (as shown in orange on the map extracted from the RBC Local Plan below – with the blue line to the west representing the Borough boundary).



Above: Location Plan by applicant & within The Warren context; Below: Site Photo.

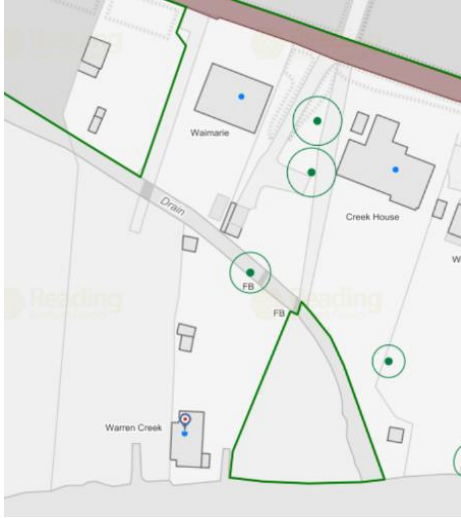


- 1.2 As well as the dwelling house, there is also a garage and two ancillary structures within the plot. Although the dwelling does not appear to have any planning history relating to its creation/use as a dwelling, it has been established that a structure of the same shape of the main building is shown on the 1930 historical map, adjacent to an annotation referencing “Boat Houses”, while the 1950 basemap explicitly specifies Warren Creek, with a separate boat house to the west. Council Tax records also specify that a residential banding exists at the site. In addition, an officer site visit took place on 23/11/2023, whereby it was established that in practice the unit is in residential use. Therefore, the local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant’s version of events (as stated within the submission) that this is a residential property less than probable, there is no good reason to resist the existing main structure being considered as a residential dwelling. Accordingly, it is considered reasonable for the proposals to be considered on the basis of the existing structure being an existing dwellinghouse (rather than a leisure plot for example), with this reflected in the description of development.



Extracts of historic maps from 1930 (left) and 1950 (right)

- 1.3 The application site contrasts from its neighbours and the overriding pattern of development in this part of The Warren, where properties are predominantly set well back from the riverbank. The site is within an identified major landscape feature area (Policy EN13 of the Reading Borough Local Plan 2019), specifically the Thames Valley area, and an area of identified biodiversity interest (Policy EN12). The site is also within Flood Zone 3 (Policy EN18), with the aforementioned unusual feature of a creek leading into the River Thames running through the site. Moreover, separate correspondence with the Environment Agency during the course of this application has confirmed that the site is specifically within flood zone 3b (functional floodplain).
- 1.4 The site is subject to TPO 97/07 which includes 3 trees on the site (one Ash, One Oak and one Ash-leaved Maple). There is also a Woodland TPO (96/07) next door to the east at Creek House, that being on the land adjacent to the river. These are shown on the map below:



- 1.4 The site is also on a 'treed corridor' as defined in the adopted Tree Strategy. Furthermore, the site is within an area with known archaeological potential (Policy EN2).
- 1.5 There are significant topography changes at the site, with the land rising steeply to the north of the site, adjacent to The Warren highway, with vehicular access at this point leading down to the existing on-site garage. The site is within the Caversham Heights ward of the Borough, with the Borough boundary (with South Oxfordshire District) circa 600m to the west. The surrounding area predominantly comprises large residential properties set in generous grounds, typically set well back from the River Thames. The area is verdant in nature, with a series of private open spaces. The topography in the area rises from south to north away from the river, with steep level rises in some areas as part of the Warren Escarpment.

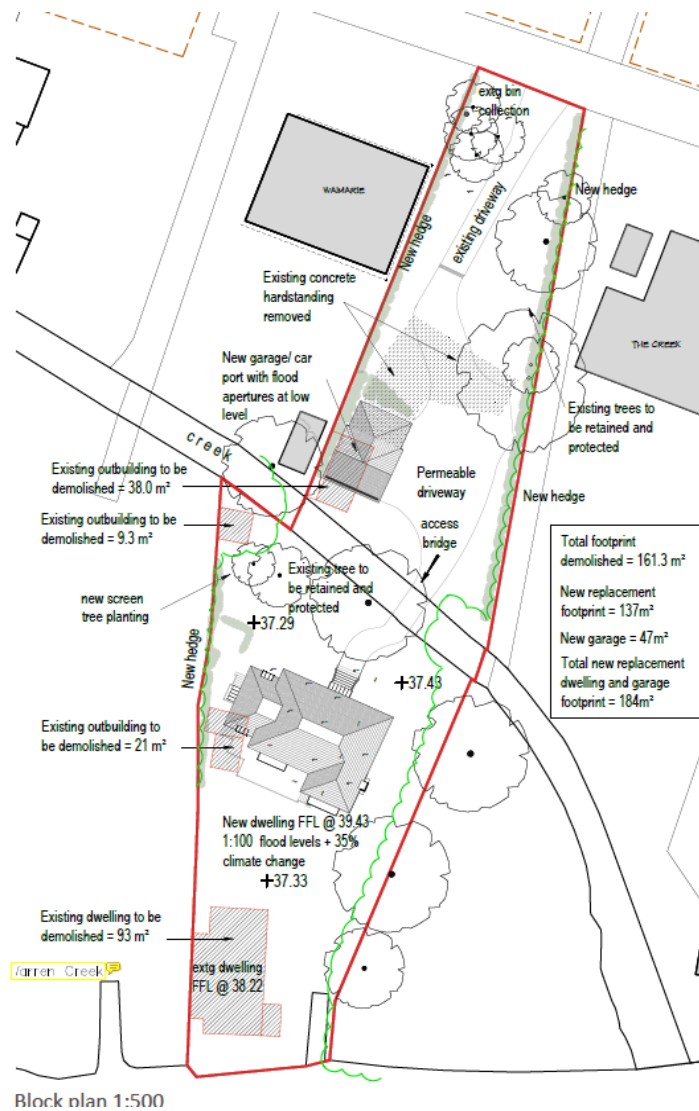


Aerial view of the application site and the surrounding area (image via Google Maps)

- 1.6 The Warren is a designated cycle route (Policy TR4). The River Thames is a green corridor (Policy EN12) and a waterspace (Policy EN11 - Waterspaces).

2. Proposal

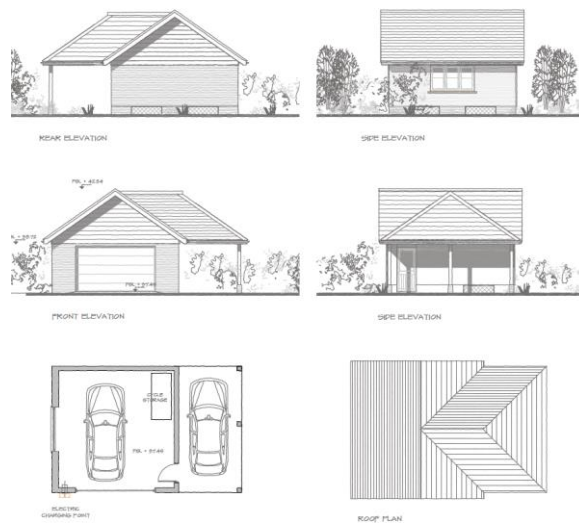
- 2.1 Full planning permission is firstly sought for the demolition of the existing dwelling and the existing outbuildings at the site. It is also proposed to erect a 4-bedroom detached single dwellinghouse further to the north (in comparison with the existing dwelling) within the plot. Permission is also sought for a standalone garage structure to the north of the creek which runs through the middle of the site. The proposed plans also show an externally located air source heat pump to the north-west of the footprint of the proposed dwelling, adjacent to a bin storage area. The proposed plans also indicate a variety of hard and soft landscaping works (including altered access), with no changes specified to the ground levels in the area of the footprint of the proposed dwelling, which is intended to be built on a series of stilts. The proposed site plan is shown below, as are the elevations associated with the proposed house, garage and entrance works:



Extract of the proposed site plan



Proposed elevations for the main dwelling



Proposed garage elevations and plans (left) and existing/proposed entrance gates (right)

3.3 During the course of the application the applicant has submitted a series of revised and updated plans and documents to seek to address various comments raised by officers, in addition to making changes to the proposals. This includes (but is not limited to) matters relating to the noise from the air source heat pump, visual impacts of the proposals from the surrounding area (notably the south side of the river), an updated bat survey, further biodiversity net gain based information, a revised flood risk assessment, amended tree protection / landscaping proposals and the omission of the originally proposed entrance gates and front boundary wall, with the proposed block plan indicating that no front boundary treatment is now proposed. The design of the dwelling was also altered during the application, for it to be built on a series of stilts.

3.4 Plans and documents considered

List of plans (only the most recently submitted are referenced)

3863/101 – Existing Dwelling
3863/102 – Existing Outbuildings
As received 06/09/2023

3863/221 Rev B – Proposed Ground Floor Plan
3863/222 Rev B – Proposed First Floor Plan
3863/223 Rev B – Proposed Roof Plan
3863/231 – Existing and Proposed Entrance Gates (Please note that the proposed gates / front boundary wall were omitted from the proposals on 25/04/2024 – as per the email and block plan submitted by the applicant, so this plan only considers the existing arrangements)
3863/234 – Profile Comparison Drawing
As received 13/10/2023

3863/230 Rev A – CIL Calculations
As received 24/10/2023

3863/232 Rev A – Proposed Air Source Heat Pump Details
As received 20/11/2023

3863/220 Rev D – Block and Location Plan
3863/224 Rev F – Proposed Elevations
3863/225 Rev F – Proposed Elevations
3863/228 Rev B – Proposed Garage / Car Port
3863/229 Rev B – Sections – Existing and Proposed
3863/235 – Permeability Plan
As all received on 17/05/2024

3863/51 Rev B – Proposed Areas
3863/226 Rev D – Walls above extg grd supporting raised ground floor slab
3863/227 Rev F – Proposed Landscape and Biodiversity Site Plan
3863/233 Rev D – Boundary Treatment Plan
As all received on 12/06/2024

3863/50 - Existing Areas
As received 20/06/2024

List of other documents (only the most recently submitted are referenced) and relevant correspondence

Preliminary Ecological Appraisal and Preliminary Roost Assessment Issue 2 by Arbtech Consulting Ltd
Energy Statement by Melin Ref 304315 dated 08/08/2023
Application form
CIL form
As received 06/09/2023

Sustainability Statement Ref 3863
As received 13/10/2023

Telford Clivet Air Source Heat Pump Technical Details
As received 07/11/2023

MCS Heat Pump Calculations by Earth Save Products Ref KM783216/2
As received on 23/11/2023

Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated 25/04/2024
As received on 25/04/2024

Planning, Design & Access Statement by STL Architecture and Planning
MCS Planning Standard for Air Source Heat Pumps
Existing and Proposed River Viewpoints (9 pages)
BNG Figures (excel spreadsheet)
Email from Shaun Tanner Architecture & Planning 'Ref - Warren Creek, Caversham (231270)', dated 17/05/2024
As all received on 17/05/2024

Updated (2024) Nocturnal Bat Survey Report for Warren Creek, The Warren, Caversham, Reading, Berkshire, RG4 7TQ by NKM Associates Ref 36323-02 NKM Assoc, dated 31/05/2024
As received 03/06/2024

Email from applicant 'Urgently seeking clarity to ensure final detail is provided appropriately' dated and received 07/06/2024

Flood Risk Assessment and SuDS Report By Nimbus Ref C3007-R1-REV-D dated June 2024
BS:5837 Arboricultural Report – Arboricultural Survey, Impact Assessment & Method Statement by Duckworths Arboriculture Ltd Ref AIA/AMS 06062 / 2023 0.3 dated 09/06/2023
BS:5837 Tree Protection Plan – Phase 1
BS:5837 Tree Protection Plan – Phase 2
Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated 12/06/2024
As all received on 12/06/2024

Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated and received 20/06/2024

Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated and received 12/07/2024

Statutory Biodiversity Metric Calculation Tool, Warren Creek, The Warren, Caversham, as received 19/07/2024

Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated and received 24/07/2024

3.5 Community Infrastructure Levy (CIL) – A CIL form has been submitted with the application, together with plans seeking to illustrate the existing and proposed floor spaces at the site. These will aid the future calculation of the CIL liability, which is a separate matter ascertained if/when permission has been granted. Depending on the occupation of the

existing dwelling at the time of any permission, it may be the case that the existing floorspace is deducted from the liability.

4. Relevant Planning History

Application site

- 4.1 240705/CLP - Single storey ground floor extension on east elevation, dormer roof extensions on eastern and western roofslopes and porch extension on north elevation. Certificate of Lawfulness for Proposed Development to a dwelling refused 30/07/2024, as it was found that the proposal would not be lawful in the context of Classes A, B and D Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 4.2 It is also relevant to note that pre-application advice was sought in advance of the submission of this application, with advice provided by the Local Planning Authority on 29/03/2023 (Ref 230124/PREAPP).

Nearby sites

Willowbrae, The Warren

- 4.3 212017 - Demolition of existing dwelling and erection of replacement dwelling with integrated garage associated driveway and landscaping. Granted 23/08/2022.

5. CONSULTATION AND PUBLICITY

5.1 RBC Natural Environment Officer

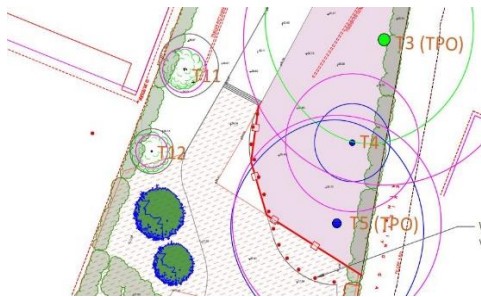
- 5.1.1 Original response comments: It was initially noted that the site was subject to a pre-application (ref. 230124) exploring the suitability of a similar development, on which occasion Natural Environment provided policy context showing the importance of trees (3 TPO trees, within Thames Valley Major Landscape Feature (EN13), adjacent to the Thames (an Area of Identified Biodiversity Interest (EN12) and on a 'treed corridor' as defined in the adopted Tree Strategy). It suggested that any future application should be supported by an Arboricultural Impact Assessment and a coherent landscaping strategy.
- 5.1.2 In terms of existing trees and with reference to the BS:5837 Arboricultural Report Ref. SCD 06062 / 2023 Rev. 0.2 with the accompanying BS:5837 Tree Protection Plan, the following are noted:
- G10 (as referred to in the Report) is marked as T10 on the TPP. This is a minor inaccuracy and can be overlooked – this shrubby tree group will be removed to enable development.
 - G1 (4x) Ash, G6 Ash, T20 Ash and T26 Elm are poor condition trees that are not suitable for retention. They will be removed on arboricultural basis.
 - It is proposed that protected tree T5 Ash-leaved maple (T2 of TPO 97/07) is crown lifted to give 4m clearance above ground level over parking / driveway area. As the photograph below indicates, this may lead to removal of large

branches if not properly specified. As such, the work specification should be amended to with the addition of 'by pruning secondary branches only'.

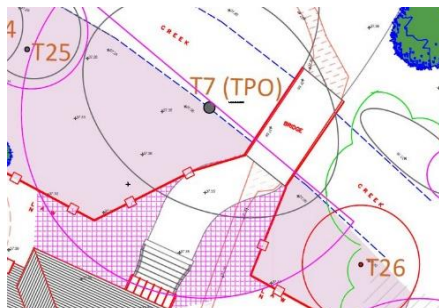


5.1.3 Some inaccuracies are noted on the TPP, which should be addressed:

- A small area within the RPA of T5 appears as soft landscape that is not protected by the provisions of the TPP (the plain, white area) – however, looking at site photos, it appears this corner of the driveway is indeed surfaced with existing hardstanding.



- While the no-dig surfacing within the RPA of retained trees is provisioned by the AMS and is included in the legend of the TPP, the plan itself does not indicate what is the extent/location of this provision – it appears, instead, these areas are left blank (white).
- In continuation to the bullet point above, it may be easier to show the existing hard standing (retained during construction) as ground protection and the provisioned temporary ground protection on a phase 1 plan, with the new No-dig surfacing within RPA of retained trees on a phase 2 plan. This is best evidenced by the excerpt below where the Temporary Ground Protection appears interrupted by the supposedly no-dig surfacing leading from the creek to the house. However, Temporary Ground Protection should be continuous within the RPA of T7 here, with the No-dig surfacing only laid after construction works are completed.



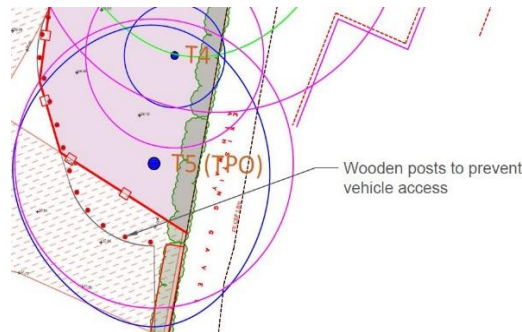
- Under section 3.13 Landscaping a minor amendment is necessary to include 'diameter' to the stated size of tree roots ('roots over 30mm diameter').

5.1.4 In summary, the Arboricultural Report demonstrates the development's impact on trees can be mitigated (with appropriate replacement planting), except for the minor amendments necessary as per the comments above. Amendments would be preferred to be provided prior to a decision to avoid a pre-commencement condition.

5.1.5 In terms of the proposed landscaping, it is initially noted that a brief note on the Planning, Design and Access Statement Final V2 – on page 16, the statement regarding trees is inaccurate – one group of trees will be removed to enable development, in addition to 2 groups of trees and 2 trees that will be removed on arboricultural grounds. However, it is true that no high amenity and quality trees will be removed to enable development and replacement planting for those that are removed can be secured.

5.1.6 With reference to the Proposed Landscape and Biodiversity / Tree Protection Site Plan Ref. 3863/227 Rev A dated May 2023, the following inaccuracies should be addressed:

- The AMS and TPP by Duckworth Arboriculture indicate the group of trees near the site entrance will be removed on arboricultural grounds. The Landscape plan shows these are retained. I assume these were meant to be shown as new trees. Amendment is necessary
- 3x Quercus ilex sizes are given as 100mm diameter – I assume this is meant as 100mm girth
- The TPP indicates installation of a row of wooden posts that follow the edge of the proposed gravel driveway to prevent vehicles access off the provisioned driveway onto the soft landscaped area within the RPA of existing T5. These wooden posts (with a note on their specifications) should be included in the landscape plan.



5.1.7 Except for the comments above, the proposed landscaping scheme is positive. However, as no underground services details and a maintenance programme has not been submitted, a landscaping condition will be required to secure these (along with amendments to address the comments above).

5.1.8 In conclusion, the application is supported in terms of trees and landscaping subject to conditions.

5.1.9 The applicant was advised that the inconsistency / clarification points raised could be responded to at application stage, or alternatively secured via condition (in the event of permission being able to be granted, to avoid/reduce the need for details to be submitted post-decision, in a positive decision scenario). The applicant submitted further

information on 25/04/2024, including an updated arboricultural report, tree protection plan and report. It was also advised that no new underground services would be required or installed. Further revisions were also made by the applicant on 17/05/2024, following an initial reply by the planning officer on 29/04/2024.

5.1.10 Subsequent response (May 2024): The Natural Environment Officer noted that on 17 May 2024 an amended document was received: BS:5837 Arboricultural Report Ref. SCD 06062 / 2023 Rev. 0.3 with the accompanying BS:5837 Tree Protection Plan 0.1. However, it appears there aren't any relevant changes to the Arb Report. The only amendments relevant to tree protection are on the TPP:

- Locations of T4 and T5 have been adjusted on the TPP – this means previous comments relating to a small area of T5's RPA are no longer applicable
- G1 is now shown as retained on the TPP. However, it is unclear if this is feasible in arboricultural terms (cat U – trees unsuitable for retention) and, if they are retained, tree protection to mitigate harm during installation of the proposed new access gate might be necessary (if the new gate is still part of the proposals).

5.1.11 Moreover, the other 4 points previously raised have not been addressed:

- T5 crown lifting specifications should be amended to add 'by pruning secondary branches only' to avoid removal of large branches
- The no-dig surfacing within the RPA of retained trees is provided within the AMS and is included in the legend of the TPP, however the plan itself does not indicate what is the extent/location of this provision – it appears, instead, these areas are left blank (white).
- In continuation to the point above, it may be clearer to show the existing hard standing (retained during construction as ground protection) and the provisioned temporary ground protection on a phase 1 plan. Then, to show the new No-dig surfacing within RPA of retained trees on a phase 2 plan. This is best evidenced by the excerpt below where the Temporary Ground Protection appears interrupted by the supposedly no-dig surfacing leading from the creek to the house. However, Temporary Ground Protection should be continuous within the RPA of T7 here, with the No-dig surfacing only laid after construction works are completed.
- Minor amendment to include 'diameter' when stating dimension of roots at paragraph 3.13

5.1.12 As such, the proposals remain supported in terms of trees but if and when planning permission is granted, a condition should be included to secure amendments to address the comments above.

5.1.13 In relation to Landscaping, previous comments related to the Proposed Landscape and Biodiversity / Tree Protection Site Plan Ref. 3863/227 Rev A dated May 2023. On 17th May 2024 an amended version was received: Proposed Landscape and Biodiversity / Tree Protection Site Plan Ref. 3863/227 Rev E. The following comments are raised:

- On the amended version, the 'existing trees/hedges retained' symbols on the Legend do not match the symbols used on the plan.
- 13 new trees have been added in the rear garden along the boundaries. Six of these are part of genus Prunus. The RBC Tree Strategy states genus Prunus is overrepresented in the Borough and trees part of it should not be planted in large numbers. In addition,

the Strategy also requires that planting schemes should align with a 30:20:10 rule: of the new trees on a site, they should be max 30% of the same family, max 20% of the same genus and max 10% of the same species. The 6 trees part of genus *Prunus* make up ~30% of the total 20 new trees. At least 3 of them should be replaced with other species – given the location near a watercourse, species tolerant of wet conditions (if this is an issue) could be proposed instead, e.g. Willow, Alder or Swamp cypress

- The proposed 4 Common Elders comprise 20% of the new trees – double than what the Tree Strategy allows for any one species (10%).

5.1.14 In addition, the following previous comments have not been addressed:

- The wooden posts provisioned by the AMS/TPP to permanently protect the RPA of T5 from driving on the grass area are not shown on the Landscape Plan as they should be – together with their specifications.
- The 100mm diameter specification for the (now) 3 *Ilex Aquifolium* has still not been amended to a more realistic '100mm girth'.

5.1.15 The proposed landscaping is still agreeable in principle and the application is supported in terms of landscaping, subject to a condition to secure the amendments required by the comments above.

5.1.16 In conclusion, the application remains supported, subject to conditions to a) secure landscaping details and amendments and b) to secure AMS/TPP amendments.

5.1.17 This feedback was provided to the agent on 31/05/2024, seeking any further responses by 12/06/2024. The applicant provided responses and a series of updated information on 12/06/2024.

5.1.18 Final Natural Environment Officer comments (18/06/2024): In relation to existing trees, it is confirmed that previous comments have been addressed by the amended BS5837 Arboricultural Report Ref. AIA/AMS 06062 / 2023 version 0.3 received 12/06/2024 with the accompanying Tree Protection Plans Phase 1 and Phase 2. As such, if and when planning permission is granted, a condition should secure the implementation of the AMS.

5.1.19 In relation to Landscaping, the Proposed Landscape and Biodiversity Site Plan Drg. No. 3863/227 Rev F received 12/06/2024, this addresses all previous comments, except for tree planting:

- I note that the number of new trees has reduced from a total of 20 (4 on the front of the site, 16 at the rear) to a total of 3. This reduced proposal is even less than initially proposed with the Landscape plans received on 6/9/2023 and 13/10/2023 (each provisioning 7 new trees) and no explanation is offered.
- for context, my memo of 24/11/2023 pointed to the following policy context *showing the importance of trees (3 TPO trees, within Thames Valley Major Landscape Feature (EN13), adjacent to the Thames (an Area of Identified Biodiversity Interest (EN12) and on a 'treed corridor' as defined in the adopted Tree Strategy). It suggested that any future application should be supported by [...] a coherent landscaping strategy.*
- Given the total re-development of the site and the policy context stated above, **the reduction in proposed tree planting is not agreeable.** At minimum, the proposed

planting should be reverted to provision at least 7 trees (Landscape plans received on 6/9/2023 and 13/10/2023).

5.1.20 If this landscape plan is listed as an approved plan, it would ONLY be for BNG purposes (assuming GS Ecology are satisfied), with a condition being required to secure landscaping (etc) details. It is not ideal to end up having two approved landscape plans to implement, so consideration should be given to a condition requiring agreement for final biodiversity enhancements. On the assumption that GS Ecology are content with the current plan, it would be submission of an amended version of this with additional trees (so same plan submitted for both conditions).

5.1.21 With reference to the SuDS Layout and Location Plan Drg. No. C3007-01 Rev A dated 12/06/2024, as part of the FRA (on page 46), the following comments are made:

- the attenuation tank sits entirely outside of any construction exclusion zones, as these are defined on the Tree Protection Plans. However, if the proposed dwelling is built before the attenuation tank has been dug and installed, it is queried whether there would be enough room for ground working machinery to access the rear of the site to do so afterwards – there is very little space between the east elevation of the building and the Tree Protection Fencing in that area.
- There is a need to establish the attenuation tank installation timing, so that it can be confirmed that the proposed (and so far agreeable) tree protection is compatible with the expected access to the rear (south) of the site of large machinery.
- If the attenuation tank cannot be installed prior to erecting the proposed dwelling, there will be a requirement to secure some amendments to the AMS/TPP, hence reverting back to a condition which requires details to be submitted, rather than a compliance condition.

5.1.22 In conclusion, the application remains supported in terms of trees and landscaping, subject to conditions relating to the AMS and amended landscaping details (to include the number of new trees).

LANDSCAPING LARGE SCALE (TO BE APPROVED)

No development shall commence on site until a comprehensive scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. These details shall include, [DELETE AS APPROPRIATE]:

- a. *Proposed finished ground and floor levels or contours, means of enclosure (including mammal gaps where appropriate), car parking layouts, other vehicle and pedestrian access and circulation areas;*
- b. *Hard surfacing materials and minor artefacts and other ancillary structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc);*
- c. *Soft landscaping details shall include planting plan showing 7 new trees, specification (including cultivation and other operations associated with plant and grass establishment), tree pit specifications, schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable;*
- d. *A maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting;*
- e. *routes and details of proposed and existing functional services above and below ground including foul and surface water drainage, soakaways and SUDs details, power, communications cables and water and gas supply pipelines, including access points;*

The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the Local Planning Authority.

Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

REASON: These details are required prior to commencement of development because of insufficient information contained within this submission and in the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

ARBORICULTURAL METHOD STATEMENT (TO BE SUBMITTED)

No development shall commence on site (including demolition or preparatory works) until an Arboricultural Method Statement and Tree Protection Plan in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice for all existing trees that are not shown as being removed on the approved drawings, both within and adjacent to the site, has been submitted to and been approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.

Reason: In order to ensure that appropriate protection is given to trees of amenity value within and adjacent to the site in accordance with Policy EN14 of the Reading Borough Local Plan 2019.

Or

ARBORICULTURAL METHOD STATEMENT (AS SPECIFIED)

Protective measures, including fencing, ground protection, supervision and working procedures shall be carried out in accordance with the BS:5837 Arboricultural Report Ref. AIA/AMS 06062 / 2023 0.3 prepared by Duckworths Arboriculture Ltd dated 09/06/2024. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

REASON: In order to ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself in accordance with Policy EN14 of the Reading Borough Local Plan 2019.

5.1.23 These comments were provided to the agent on 25/06/2024, specifying that should the applicant wish to seek to resolve the outstanding matters referenced, to advise the case officer accordingly. The agent was advised that, alternatively - strictly only in the event that a positive decision is possible in future - planning conditions would be secured as outlined above in the event of no further information being received in these respects. The agent provided a response on these matters on 19/07/2024 (within an email dated 03/07/2024 which was not received by the case officer until 19/07/2024), stating as follows:

- *With regards to the removal of proposed trees, these were removed as the BNG attached no value to them and the design therefore focused on what the BNG did attach value to. With regards to the request to add 7 trees for the permission to be approved, we request that this condition is removed as no*

trees are being removed, requiring new trees to be planted. The request seems to relate to the 7 trees on the first submission that were added to aesthetically improve the site but thinking has evolved

- *With regards to roosting features, please condition this*
- *With regards to the attenuation tank, this will be installed in advance of the house build*
- *With regards to landscaping and the arboriculture method statement, please condition this.*

5.2 **GS Ecology (RBC Ecology consultants)**

- 5.2.1 Original response (November 2023): In terms of the impacts on bats, the Ecology report (Arbtech, August 2023) has been undertaken to the appropriate standard and concludes that the house is being used by roosting bats (15 to 20 bat droppings were found in the loft space). As such, the report states that three further surveys should be undertaken to determine the status of the roost within the house.
- 5.2.2 The Bat Survey report (NKM Associates, September 2023) details the results from two emergence surveys carried out on the 29th August (although the report also states the survey was undertaken on the 29th July) and the 15th September 2023 (outside the bat survey season). No bats were seen to emerge from the building and the report concludes that the house is in use as an occasional day roost. Given the guidelines advise that three dusk emergence / pre-dawn re-entry bat surveys need to be carried out, but only two have been completed, a further dawn re-entry survey should be carried out prior to the determination of the application. A bat survey report would need to accompany this too, or alternatively the application would need to be refused on the grounds that insufficient information has been provided to determine the likely impact of the proposals on bats. The applicant is advised that surveys need to be carried out between May and September.
- 5.2.3 In summary, it would appear that the survey effort is not in line with the guidelines and insufficient surveys have been carried out. As such, there is insufficient information for the Council to determine this application. Further surveys would need to be undertaken determine the status of the roost. The application should not be determined until the surveys have been carried out and the results, including a mitigation plan, submitted to the council. If this information is not provided, the application would need to be refused on the grounds that insufficient information has been provided for the council to determine the likely impact of the proposals upon bats, which are a protected species and material consideration in the planning process.
- 5.2.4 In terms of biodiversity net gain (BNG) matters, the site comprises mainly hardstanding, buildings, garden and scattered trees. Although not priority habitats as per the NPPF they do have some ecological value. To demonstrate compliance with Policy EN12, the applicant will need to provide a biodiversity net gain calculation using the latest DEFRA Metric. The calculation will need to be accompanied by the spreadsheet, as well as maps showing the habitats before and after development.
- 5.2.5 This response was fed into the applicant as part of wider feedback on 13/12/2023, noting that BNG matters were raised at pre-app and pre-validation stages. Given the delays in receiving the EA consultation response, it was suggested that an extension of time was agreed for the application to be determined by 28/06/2024, providing sufficient time for

the further Bat survey and report to be submitted. The applicant agreed to this and, following some clarifications (whereby the need to provide additional bat survey work was reaffirmed), the applicant submitted further BNG based information on 17/05/2024 and further Bat survey work on 03/06/2024.

5.2.6 Further response: In terms of the additional Bat Survey information, it is confirmed that the report is acceptable and a planning condition should secure that demolition is supervised, as per the mitigation detailed in the report.

5.2.7 In terms of BNG matters, the agent was advised on 31/05/2024 that the small sites metric calculation for BNG is not appropriate, as there is a watercourse (stream) running through the middle of the site and both buildings will be within ten metres of this stream. As such, it is GS Ecology's advice (on behalf of the Council) that the applicant will need to submit a full BNG calculation using the Statutory Metric. The agent submitted a further BNG report on 20/06/2024, which GS Ecology initially assessed and raised the following initial questions/comments, which were sent to the agent for review and comment on 25/06/2024:

(a) *The calculation shows a gain in watercourse units but there do not appear to be any details on how the applicant proposes to do this? Please submit these details for assessment.*

(b) *The applicant has submitted a BNG calculation that concludes that the development will lead to a very small net gain in habitat units (0.01 units equivalent to 1.89%), a large increase in hedgerow units 0.28 equivalent to 1635%). However, there appear to be discrepancies in the BNG calculation and the area calculations provided in the landscaping. For example:*

Post development the total hardstanding area is 0.0603 (i.e. gravel 275m², hardstanding 205m², balcony 46m² – plus ramp and slipway). However, the area shown in the BNG metric is 0.0466ha

The calculation seems to indicate that all vegetated garden areas will be preserved. However, this is not accurate, as the house will be constructed on the middle/southern portion of the lawn. A quick calculation using the vegetated areas detailed in the landscaping plans reveals that there will actually be less vegetated garden space after the development.

Inputting these values into the BNG metric shows that there will be a slight net loss in biodiversity of 0.02 habitat units (ie -5.4%) .

(c) *The Proposed Landscape and Biodiversity Site Plan shows two bat boxes, one robin box and one sparrow terrace. All of these will be installed on existing trees. With the exception of the single bat box required as part of the bat mitigation measures during the demolition of the existing building, these roosting features should be integrated into the new building(s). (the applicant may want to consider universal nest bricks for the bird roosting features - these are described here: https://www.swift-conservation.org/universal_swift_nest_brick02.pdf)*

5.2.8 No further response was received from the agent on BNG matters until 19/07/2024, at which point the agent claimed that such information was earlier submitted on 03/07/2024 (this was not received by the case officer). The agent submitted a further BNG calculation and email stating:

The watercourse gains are achieved by removing the concrete non-habitat beside the water

With regards to vegetated garden NKM have updated the BNG (attached). This creates a need to reduce the area of gravel and increase the area of vegetated garden by 45sq m. This isn't shown in the drawings and therefore we request that updating the drawings to reflect this is conditioned.

With regards to roosting features, these can be incorporated in the building and we request they are conditioned

With regards to alignment across drawings, please condition this

5.2.9 **Final GS Ecology response:** GS Ecology commented on the information first received on 19/07/2024, as follows:

[GS Ecology are] still not convinced that the application will result in no net loss in biodiversity, as the applicant claims in their email. They [the applicant] have not provided clear plans showing the areas of hardstanding and garden before and after development. The plans appear unclear and inconsistent, making it nearly impossible to conclude that the development will lead to a net gain in biodiversity, as they suggest. We also need details and plans on how the 9metres of river bank will be naturalised and more details on the trees to be planted.

It is noted that the Environment Agency has objected to the application. If this objection can be addressed and sufficient details are submitted to us addressing the concerns outlined above, I expect our objection could also be overcome.

Integrated bat and bird boxes can be conditioned as the applicant suggests.

5.3 **RBC Transport Officer**

5.3.1 The following comments were raised in the original response received, which in summary indicate that the proposals are acceptable in some regards, but a series of queries are raised which should be resolved prior to the determination of the application:

5.3.2 *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.*

5.3.3 *The application consists of the demolition of the existing dwelling and outbuildings and the construction of 1 x 4 bedroom dwelling with garage. A creek runs through the site, and an access bridge is proposed to link the house to the rest of the site.*

5.3.4 *In accordance with the Council's current adopted Parking Standards and Design SPD, 2.0 on-site parking spaces would be required. The submitted planning statement and Plan Drawing 3863/228 Rev A identify a single garage and car port. It is recommended that the internal dimensions for a single garage are 7m x 3m, and 5m x 3m for a car port,*

Dimensions for the proposed garage do not conform to current standards, however it is clear from the size of the development that there will be additional on-site parking available. Therefore, the proposed provision can be accepted in this instance.

- 5.3.5 *Block and Location Plan - 3863/220 Rev C indicates a turning area is to be provided which will allow for vehicles to exit the site in forward gear. Any surface water from the parking areas/access drive should not discharge onto the Public Highway and therefore the driveway should be constructed of a permeable material, or a drainage channel should be provided at the boundary to collect the surface water.*
- 5.3.6 *The submitted Block/Location Plan 3863/220 Rev C proposed gates set back into the site by 5.5m and opening into the site preventing vehicles waiting on the carriageway to enter. This is deemed acceptable.*
- 5.3.7 *Policy TR5 of the Council's Local Plan requires for each new house to be provided with an electric charging point. This would need to be illustrated on plans.*
- 5.3.8 *In accordance with the Council's current standards, a minimum of 2 cycle spaces would be required for a development of this nature (a secure garden shed can be considered). This will need to be illustrated on plans.*
- 5.3.9 *The applicant should ensure that the refuse storage provisions comply with the Council's Waste Management Guidance. Given this is a replacement dwelling, it is assumed that the refuse servicing will be the same as existing, however bin collection points will need to be illustrated on plans which should be close to the access to allow for kerb side collection.*
- 5.3.10 *The development will be subject to a Demolition and Construction Method statement, as secured via pre-commencement condition.*
- 5.3.11 When providing initial feedback to the applicant on 13th December 2023, the applicant was sought to address the outstanding matters raised, together with some further transport-based comments from the planning officer querying the consistency of the information submitted in terms of the entrance gates, their location and whether this required a build-up in material (given the drops in land levels witnessed during the officer site visit). The applicant submitted revised plans and commentary on 25th April 2024, including stating that the originally proposed gates (as referenced at paragraph 5.3.6 above) are to be omitted from the proposals.
- 5.3.12 Further comments were sought and received from RBC Transport, summarised as follows:
- 5.3.13 The revised block plan 3863-2C20D addresses the outstanding Transport comments:
- Provision of EV Charging points. This has not been illustrated on the revised plans. However this can be dealt with by way of condition.
 - Provision of cycle storage. This has been illustrated in plans within the garage and is deemed acceptable.
 - Refuse collection points. This has now been identified close to the property's entrance and is deemed acceptable.

- Additional comments were also raised by the planning officer regarding differing levels of land adjacent to the proposed gates. The applicant has confirmed that the gates are now to be removed. There are no transport objections to this. An existing access serves the site any alterations would require a license from the Highways Department.

5.3.14 Accordingly, RBC Transport has no objection to the proposals subject to a series of conditions being secured.

5.4 **RBC Environmental Protection Officer**

5.4.1 Original response: Sought for a simple noise assessment to be submitted, in support of the externally located air source heat pump (ASHP), given the lack of information submitted at the outset of the application. It was noted that if the noise from the ASHP complies with the limits then it will be acceptable, but if not then a more detailed noise assessment is likely to be required.

5.4.2 It was also advised that, in the event of permission being granted, the following informatives would be required regarding noise and burning of materials during the demolition and construction phases:

Noisy construction, demolition and associated activities should be restricted to between the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, with no noisy works taking place at any time on Sundays and Bank or Statutory Holidays.

There should be no burning of waste on the site.

5.4.3 This is required as Environmental Protection 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. The informative would therefore help to prevent complaints.

5.4.4 Subsequent responses: A series of correspondence and further submissions followed from the applicant (on 07/11/2023, 09/11/2023, 20/11/2023, 23/11/2023, 25/04/2024), with feedback and requests for more information sought by the Environmental Protection Officer (on 08/11/2023, 10/11/2023, 21/11/2023 & 13/12/2023), with it subsequently confirmed that the additional information submitted on 25/04/2024 is satisfactory and there is no requirement for a full noise assessment to be undertaken or secured. Instead, the technical information submitted has satisfactorily demonstrated that noise from the ASHP meets the MCS Planning Standards for ASHPs and is therefore deemed to be satisfactory.

5.5 **RBC Lead Local Flood Authority**

5.5.1 The original LLFA comments were:

5.5.2 *It is noted that a drainage design has not been submitted to accompany the application and therefore the LLFA are unable to fully assess the proposal. It is noted that the proposed discharge rate is 0.693 l/s but discharge rates this low have a tendency to*

result in the system clogging up; it would therefore need to be confirmed how the proposed drainage system would ensure this does not occur.

5.5.3 *It is also noted the first paragraph in Section 5 states the following:*

The total site area is 4954m², and the impermeable areas of the site prior to development are 0m². Following the development at this site, the impermeable areas will have increased to 3391m², consisting of the roof areas of the proposed buildings, as well as the hard standing areas, prior to any mitigation by using Sustainable Urban Drainage Systems (SuDS).

5.5.4 *The figures stated within the above should be clarified as this does not seem to reflect the site plan indicating the permeable and non permeable areas and the submitted calculations.*

5.5.5 *The applicant should submit suitably updated plans / information to address the above prior to the determination of the development.*

5.5.6 *The applicant submitted responses and further information on 25th April, including in respect of drainage “For the drainage designed we request that this is conditioned”. The LLFA’s second response confirmed that this had been considered, but did not address all previous comments. Accordingly, the LLFA repeated comments made at paragraphs 5.5.2 and 5.5.5 above. This was fed into the applicant on 31st May and a response was provided by the applicant on 12th June.*

5.5.7 *The LLFA’s third response states:*

The proposed drainage design has been updated and now includes a discharge rate of 1 l/s with the proposal also reducing the areas of impermeable across the site which in itself will create a natural slower discharge rate from the site the principle is therefore agreed. However, the site is separate by the creek and therefore it would need to be confirmed by way of updated drawings how the drainage from the impermeable areas on the northern side of the creek given that all the attenuation is located south of the creek. It is also noted that the attenuation tank is not connected to any wider drainage across the site and so it is not clear how this would work within the overall drainage system.

However, these points could be dealt with by way of conditions and as such there are no objections subject to the following conditions:

SU7 SUSTAINABLE DRAINAGE

No development shall commence on site until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- i. a timetable for its implementation, and
- ii. a management and annual maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

REASON: These details are required due to insufficient information being contained within this submission and in order to reduce the risk of flooding onsite or elsewhere in accordance with Policy EN18 of the Reading Borough Local Plan 2019.

SU8 SUSTAINABLE DRAINAGE

Prior to first occupation of the development hereby permitted, the sustainable drainage scheme for the site has been completed in accordance with the approved details to be submitted pursuant to condition number XXX. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

REASON: To reduce the risk of flooding onsite or elsewhere in accordance with Policy EN18 of the Reading Borough Local Plan 2019.

5.5.8 Accordingly, whilst not entirely satisfied with the information provided, it is considered that these specific matters can be adequately secured via condition.

5.6 **Environment Agency** (who are a statutory consultee on this application, given the nature of the proposals and the flood zone classification of the site)

5.6.1 Two separate responses have been received from the Environment Agency (EA). These are summarised below:

5.6.2 Original response (letter dated 30th January 2024, as received 31st January and fed into the applicant/agent on 1st February), summarised as follows:

5.6.3 Environment Agency Position

5.6.4 *In the absence of an acceptable FRA we object to the proposed development due to its unacceptable risk to the environment. We recommend that planning permission is refused for the following reasons:*

5.6.5 Reasons

5.6.6 *The submitted FRA by Nimbus Engineering Consultants Limited, Document No C3007-R1-REV-B, dated September 2023, does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance and its site-specific flood risk assessment checklist.*

5.6.7 *This proposal is also contrary to policy EN18 - Flooding and Sustainable Drainage Systems in the Reading Borough Council Local Plan adopted in November 2019. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:*

- use the most up to date available information to assess flood risk.*
- take the impacts of climate change into account.*
- consider whether flood risk will be increased in the surrounding area.*
- demonstrate the development will not increase flood risk elsewhere;*

- *it has not been demonstrated that the loss of floodplain storage within the 1% annual exceedance probability (AEP) flood extent with an appropriate allowance for climate change caused by the proposed development can be mitigated for.*
 - *voids are not an appropriate means of mitigating for the loss of floodplain storage within the 1% annual exceedance probability (AEP) flood extent with an appropriate allowance for climate change caused by the proposed development*
 - *consider how people will be kept safe from the identified flood hazards.*
 - *demonstrate that finished floor levels will be set above the 1% annual exceedance probability (AEP) flood level with an appropriate allowance for climate change. Consequently, there would be an unacceptable risk to the health and safety of the occupants in a flood event.*
 - *demonstrate the development will be appropriately flood resistant and resilient for its lifetime (For example – Finished floor levels are proposed below the 1% annual exceedance probability (AEP) plus an appropriate allowance for climate change flood level)*
- 5.6.8 *The site lies within Flood Zone 2 and 3b defined by the Planning Practice Guidance to the National Planning Policy Framework (NPPF) as having a high probability of flooding. The proposed development will result in a loss of floodplain storage and will impede flood flow within the 1% annual exceedance probability (AEP) flood extent with an appropriate allowance for climate change. This development will therefore increase the risk of flooding both onsite and elsewhere which is contrary to paragraph 167 of the National Planning Policy Framework [Officer note: it is likely to be paragraph 173, with paragraph 167 being that in the superseded September 2023 version of the NPPF] .*
- 5.6.9 *Voids are proposed to mitigate for an increase in built footprint within the 1% annual exceedance probability (AEP) flood extent with an appropriate allowance for climate change. Voids are not an appropriate form of mitigation in accordance with paragraph 049 of the Planning Practice Guidance which states stilts and voids 'should not normally be relied upon for compensating for any loss of floodplain storage'. This is because voids do not allow water to freely flow through them, they have limited capacity, it is difficult to stop them being used for storing belongings or other materials and voids can get silted up and/or blocked.*
- 5.6.10 The remainder of the EA response then provided advice to the applicant in respect of overcoming the objections, providing specific guidance as to what any revised FRA would need to demonstrate. For brevity, these are not set out in full here, but relate to:
- calculating an appropriate allowance for climate change using those advised in ['Flood risk assessments: climate change allowances' \(PPG\)](#)
 - demonstrate that any loss of floodplain storage within the 1% AEP plus an appropriate allowance for climate change can be directly compensated for to prevent an increase in flood risk elsewhere.
 - demonstrate that finished floor levels are set above the 1% AEP plus climate change flood level to reduce the risk of flooding to people and property.
 - Flood Plain Storage - Any increase in built footprint or raising of ground levels should be compensated up to the 1% AEP plus an appropriate allowance for climate change flood level. Level for level floodplain compensation is the preferred method of mitigation and should be considered within the FRA.

5.6.11 The response also specified an informative that:

*“The applicant will require a Flood Risk Activity Permit (FRAP) to undertake the proposed works as the River Thames (Main river) runs adjacent to the site. As submitted, it is **unlikely that a permit would be granted**. The applicant would need to demonstrate that the proposed works will not adversely impact on flood risk or the watercourse”.*

5.6.12 Advisory notes were also provided in respect of safe access and ingress, flood warning and emergency response and a condition. More specifically:

- Safe access and Egress - In accordance with paragraph 167 of the NPPF [Officer note: likely to be paragraph 173 of the current NPPF], the LPA must ensure that the residual flood risk is safely managed and that safe access and escape routes are included. This is on the understanding that the LPA conclude that the proposed development has passed the flood risk sequential test. Within the application documents the applicant should clearly demonstrate to the LPA that a satisfactory route of safe access and egress is achievable. It is for the LPA to assess and determine if this is acceptable.
- Flood warning and emergency response – note that PPG considers the ability of residents to safely access and exit a building during a design flood, with is recommended that the LPA to formally consider emergency planning and rescue implications. Suggestion to consult emergency planners.
- Condition – if the above objection is overcome, suggestion for a pre-commencement construction and environmental management plan condition to be secured.

5.6.13 The applicant subsequently submitted a revised FRA on 3rd April 2024 (Rev C amended 02.04.24), with the applicant also directly communicating this with the EA officer on 5th April. The EA was formally consulted by the LPA on 9th April. The applicant submitted a further revised FRA on 25th April (Ref Rev C 24-04-2024). The LPA case officer queried with the agent on 29th April that some plans in the further revised FRA did not align with the latest plans submitted with the application as a whole and clarifications were sought prior to re-contacting the EA. The agent subsequently submitted a further revised FRA (Ref Rev C 07-05-24) and Planning Statement (Ref V4) on 17th May. These were sent directly to the EA on 23rd May and sought for these versions to be responded to in the re-consultation sought on 9th April. This was acknowledged by the EA on 24th May. The applicant submitted a further revised FRA (Rev D 12-06-2024) on 12th June, which was fed into the EA on 13th June.

5.6.14 Second response: The EA provided a re-consultation response on 2nd July 2024. This confirmed that the latest FRA and which other specific documents/plans had been reviewed. This was fed into the agent on 3rd July and is summarised as follows:

5.6.15 **Environment Agency Position**

5.6.16 *In the absence of an acceptable flood risk assessment (FRA) we **object** to this application and recommend that planning permission is refused.*

5.6.17 **Reasons**

- 5.6.18 *The submitted FRA by Nimbus Engineering Consultants Limited, Document No C3007-R1-REV-D, dated June 2024, does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance and its site-specific flood risk assessment checklist.*
- 5.6.19 *This proposal is also contrary to policy EN18 - Flooding and Sustainable Drainage Systems in the Reading Borough Council Local Plan adopted in November 2019.*
- 5.6.20 *The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:*
- *use the most up to date available information to assess flood risk.*
 - *demonstrate the development will not increase flood risk elsewhere;*
 - *it has not been demonstrated that the loss of floodplain storage within the 1% annual exceedance probability (AEP) flood extent with an appropriate allowance for climate change caused by the proposed development can be mitigated for.*
 - *voids are not an appropriate means of mitigating for the loss of floodplain storage within the 1% annual exceedance probability (AEP) flood extent with an appropriate allowance for climate change caused by the proposed development*
 - *consider how people will be kept safe from the identified flood hazards.*
 - *demonstrate that finished floor levels will be set above the 1% annual exceedance probability (AEP) flood level with an appropriate allowance for climate change. Consequently, there would be an unacceptable risk to the health and safety of the occupants in a flood event.*
 - *demonstrate the development will be appropriately flood resistant and resilient for its lifetime (For example – Finished floor levels are proposed below the 1% annual exceedance probability (AEP) plus an appropriate allowance for climate change flood level)*
- 5.6.21 *The site lies within Flood Zone 3b defined by the Planning Practice Guidance to the National Planning Policy Framework (NPPF) as having a high probability of flooding. The proposed development will result in a loss of floodplain storage and will potentially impede flood flow within the 1% annual exceedance probability (AEP) flood extent with an appropriate allowance for climate change.*
- 5.6.22 *This development will therefore increase the risk of flooding both onsite and elsewhere which is contrary to paragraph 167 of the National Planning Policy Framework. [Officer note: it is likely to be paragraph 173, with paragraph 167 being that in the superseded September 2023 version of the NPPF] .*
- 5.6.23 *Stilts are proposed to mitigate for an increase in built footprint within the 1% annual exceedance probability (AEP) flood extent with an appropriate allowance for climate change.*

- 5.6.24 *Stilts are not considered an appropriate form of mitigation in accordance with paragraph 049 of the Planning Practice Guidance which states stilts and voids 'should not normally be relied upon for compensating for any loss of floodplain storage'. This is because voids do not allow water to freely flow through them, they have limited capacity, it is difficult to stop them being used for storing belongings or other materials and voids can get silted up and/or blocked.*
- 5.6.25 The remainder of the EA response then provided advice to the applicant in respect of overcoming the objections, providing specific guidance as to what any revised FRA would need to demonstrate. These are identical to the original response, barring the omission of the need to consider how people will be kept safe from the identified flood hazards.
- 5.6.26 Informatives and advisory points are then stated, identical to those stated in the original response. These are in relation to a Flood Risk Activity Permit (FRAP), Safe access and Egress and Flood warning and emergency responses.
- 5.6.27 The EA's additional comments specify *"Should our objection be overcome we may wish to make additional comments or suggest conditions regarding flood risk and biodiversity. However these may be dependent on how the initial objection is overcome"*.

5.7 **Berkshire Archaeology**

5.7.1 Berkshire Archaeology advise the following:

- 5.7.2 *There are potential archaeological implications with this proposed development as demonstrated by Berkshire Archaeology's Historic Environment Record. The site lies on the river terraces of the Thames in an area of known archaeological potential. There is evidence for palaeolithic activity in the form hand axes now kept in Reading Museum recorded as being from The Warren. On the opposite bank of the Thames is Coombe bank, recorded on the HER as a potential Early Medieval earthwork. Excavations at Mapledurham playing fields to the north have revealed evidence for Late Iron Age-Roman settlement activity. This suggests that the landscape in this area has been used intensively throughout history and that there is therefore some archaeological potential on the site.*
- 5.7.3 *Although this is not a largescale development, the plot seems never previously to have been developed and is therefore undisturbed.*
- 5.7.4 *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. It is therefore recommended that the following condition is applied, should permission be granted, in order to mitigate the impacts of development. This is in accordance with Paragraph 205 of the NPPF(2021) [Officer note: Now paragraph 211 of the subsequent December 2023 NPPF] which states that local planning authorities should 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'.*

5.7.5 *Condition:*

A) No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation (WSI) has been submitted to, and approved by, the local planning authority in writing. The WSI shall include an assessment of significance and research questions; and:

- 1. The programme and methodology of site investigation and recording*
- 2. The programme for post investigation assessment*
- 3. Provision to be made for analysis of the site investigation and recording*
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation*
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation*
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the WSI.*

B) The Development shall take place in accordance with the WSI approved under condition (A).

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric Roman remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

5.7.6 The proposed development is of moderate scale involving the demolition of a house and the construction of a new one, alongside the construction of a new garage and landscaping. In view of the nature and scale of the development and the low likelihood of the potential archaeology, should it exist, meriting preservation in situ, an archaeological monitoring and recording exercise in the form of a Watching Brief, on a controlled strip of the area, to the required depth for the development, is likely to represent an appropriate programme of works.

5.8 Public Consultation – The neighbouring occupiers at Creek House and Waimarie were formally consulted via letter on 17/10/2023. A site notice was erected on 19/10/2023, expiring on 09/11/2023.

5.8.1 No letters of representation have been received.

6 Summary of discussions with the agent/applicant during the course of the application

6.1 18th September 2023 – the application was made invalid as a range of information was not included in the original submission.

6.2 16th October 2023 – the agent submitted more information (initial clarifications were sought on 6th October) to enable the validation and registration of the application. Some further plans were also sought to be provided at this time too.

- 6.3 24th October 2023 – Agent provides plans requested on 16th October.
- 6.4 31st October 2023 – Observations from the RBC Environmental Protection officer fed into the applicant, seeking a noise assessment to be submitted.
- 6.5 7th November 2023 – Agent provides information, seeking to respond to RBC Environmental Protection comments.
- 6.6 8th & 10th November 2023 – Agent advised that the RBC Environmental Protection officer requires further responses (applicant submitted more information on 9th November).
- 6.7 20th November 2023 – Agent provides more ASHP information, with the RBC Environmental Protection officer indicating that further information is still required 21st November.
- 6.8 23rd November 2023 – Agent submits a further revised noise assessment.
- 6.9 8th December 2023 – Applicant seeks update.
- 6.10 13th December 2023 – Agent seeks update.
- 6.11 13th December 2023 – Applicant provided with feedback regarding ecology, natural environment, transport, environmental protection, drainage and a series of other matters, but excluding the Environment Agency (and related flood risk) matters, given delay in consultation response from the EA. Extension of time for the determination of the application suggested.
- 6.12 4th January 2024 – Applicant confirms agreement to suggested extension of time and raises queries in relation to sequential/exception tests, river streetscene and bat surveys (all raised in feedback on 13th December).
- 6.13 10th & 11th January 2024 – Officer responses to email from applicant dated 4th January.
- 6.14 1st February 2024 – Applicant advises that updates/re-submissions can be expected in the next week.
- 6.15 1st February 2024 – Officer feedback to applicant following receipt of EA consultation response (attached in full). Follow on feedback provided in terms of sequential and exception tests. Suggested future options for determination of the application duly offered.
- 6.16 2nd April 2024 – Agent seeks clarity over extent (area) required for the sequential test.
- 6.17 3rd April 2024 – Agent submits revised FRA, with follow up email from applicant on 4th April.
- 6.18 9th April 2024 – Officer response to email from agent on 2nd April regarding the extent of the area for the sequential test (reiterating previous feedback stated on 1st February).
- 6.19 10th April 2024 – Agent advised that the EA has been re-consulted and has indicated an 8-10 week response time. Clarity sought as to if/when any further information will be submitted, in the absence of a clear reply to matters raised via 1st February feedback, where a response was sought by 22nd February.

- 6.20 25th April 2024 – Further information submitted by applicant, including various documents and revised plans, together with commentary seeking to respond to feedback provided on 13th December and 1st February.
- 6.21 29th April 2024 – initial officer reply to agent regarding EA based matters and raising questions regarding the consistency of plans within the latest FRA and those separately submitted.
- 6.22 17th May 2024 – Agent submits further information and plans in support of the proposals.
- 6.23 31st May 2024 – Further officer feedback on ecology, drainage, natural environment, transport and initial further comments on sequential/exception tests.
- 6.24 3rd June 2024 – Agent submits a further Bat Survey report and Tree Protection Plan.
- 6.25 3rd June 2024 – Officer acknowledges email from agent on 3rd June and queries whether sight has been had of the earlier officer email dated 31st May.
- 6.26 7th June 2024 – Applicant sends a series of comments and questions.
- 6.27 12th June 2024 – Agent submits further information and plans in support of the proposals.
- 6.28 13th June 2024 – Officer acknowledges receipt of email from agent dated 12th June, queries the lack of further BNG responses. Also, provides further feedback in relation to bat survey matters and offers comments to matters posed by the applicant via email on 7th June.
- 6.29 20th June 2024 – Agent provides additional plan and BNG information, together with further commentary regarding flood risk matters and a series of follow-up questions to officer comments provided on 13th June.
- 6.30 25th June 2024 – Officer feedback on BNG and Natural Environment matters (with responses sought) and advice that further responses from the EA and LLFA are still awaited.
- 6.31 3rd July 2024 – Officer feedback, providing further responses from the LLFA and EA. Overarching feedback that the application will now be refused (summary of reasons stated) and various options for the applicant suggested. Response sought by 8th July as to how the applicant wishes to proceed.
- 6.32 12th July 2024 – mail from agent advising officer email dated 3rd July has been found in junk mail.
- 6.33 12th July 2024 – further email from agent seeking to respond to / comment on officer feedback and responses on 3rd July. Suggested alternative timescales for consideration of application.
- 6.34 18th July 2024 – follow up email from substantial email dated 12th July and seeking feedback.

6.35 18th July 2024 – Officer reply to emails from agent dated 12th and 18th July, including clarification over non-submission of further BNG based matters.

6.36 19th July 2024 – Agent submits BNG information (not received on 3rd July, as stated as having been submitted then)

6.37 24th July 2024 – Agent submits the following email, which is sought to be formally noted, so it is stated in full below:

I have now had the chance to review your last email in more detail. I don't disagree with specific references you have made, but you have left out the detail that demonstrates why we have found this application so challenging. In the interest of ensuring a balanced summary of events, I would like the following formally noted.

- **Clarity on whether Planning accepts the current property is a legal dwelling with indefinite right to remain.** As far back as Mr Arnolds email on the 4th January ("During the Pre App we hadn't provided enough evidence to demonstrate the property was a legitimate home (rather than a leisure plot) and referencing Sequential Tests seemed appropriate. I believe it is understood to now be a legitimate home today. If the EA or planners don't believe this is the case, what is needed to qualify this?") we were asking for clarity on whether the application accepts the current property is a valid property with indefinite right to remain. The question has been repeated but we still don't have an answer
- **Why the Willowbrae rebuild (2 houses away) was allowed in 2022.** We are aware that policy doesn't talk to rebuilds where a dwelling is already in place. As Willowbrae was also a rebuild within 50m of Warren Creek that had been permitted, we needed to understand why Warren Creek was being treated so differently. It wasn't until 13th June that we were told that the planners had failed to identify that the whole house rebuild wasn't a "minor development" and the assumed reason it was approved.
- **Flood zone categorisation.** Our understanding is that if a flood zone area that would naturally be categorised as a 3b and already has a dwelling on it is categorised as 3a. There have been multiple requests to clarify this, but we have still to hear back
- **Examples of a sequential test where owners were rebuilding and not introducing new dwellings.** As a sequential test for a rebuild seemed illogical, on the 4th January we asked for an example to model on. As of to date nothing has been shared.
- **Engaging with the EA.** On the 10th January you advised "In terms of the sequential and exception test matters, I think it would be prudent to discuss this further once the EA response has been received. Whilst I am aware of the nearby application you reference, I am required to consider your proposal on its own merits. I wouldn't personally suggest you do anything further until the EA response is received". Whilst they have provided written feedback which has contained observations and guidance that are difficult to see as logical, all requests for a paid for conversation have been rejected.
- **Treatment for the void under the proposed house.** On the 30th January the EA wrote that the proposal would decrease the size of the floodplain and impede the flow on the flood plain. It justified this because Planning Practice Guidance states stilts and voids 'should not **normally** be relied upon for compensating for any loss of floodplain storage'. Considering the 'under normal circumstances'

policy wording, we asked for mitigating circumstances to be taken into consideration. These were not considered, so the planning response was based on the EA response which had chosen...

- not to consider the current flood flow issues created by the current buildings long foundational wall starting 3m from the river and running perpendicular to the flow of water
- not to consider the current flood zone depletion created by the current buildings solid base,
- not to consider the proposal for an optimal void flood flow design
- not to consider the proposal for a management regime to keep the void clear
- not to consider whether this didn't fit the 'under normal circumstances' policy wording
- not to consider the existing risk to life created by the height of the current home which was within 2cm of flooding in January.
- not to consider if this was in the best interest of the community
- **Completing a sequential test.** I agree that a sequential test was advised at pre-application stage (dated 29th March 2023). Whilst the email of the 1st Feb did reiterate this, it also indicated there was little point proceeding further based on current interpretations... 'Accordingly, your proposal therefore constitutes an incompatible development. This is a fundamental concern with the proposal and it therefore means it is now difficult to envisage any circumstances whereby the local planning authority will be able to support your proposals'. In an attempt to clarify the situation, on the 17th May the client asked "Is it correct to say that under the current interpretation of the rules that you are following, no one with a home on zone 3b will get approval to rebuild on their plot unless the replacement is categorised as 'essential infrastructure' or 'a water compatible development'". It wasn't until the 12th July that we heard we should produce a sequential test, suggesting a sequential test would now be evaluated. We asked for an extension to allow this to be rapidly completed but that was rejected

Taking into account the client's goals, this application was carefully designed to deliver optimal environmental improvements, improved safety to life and create something more in keeping with the river street scene which the planning department desired. Due to all the challenges this application has had, the client has now instructed another architect to secure permitted development on the current property. This proposal is so much more environmentally positive, safer and of benefit to the community, but desperation with the planning process has driven him to pursue an alternative plan. Any advice for securing an approval for something that is in the better interest of the community and the environment would be appreciated.

7 Equality Act 2010:

- 7.1 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.

8 Relevant Planning Policy and Guidance

8.1 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). In this case the development plan consists of the Reading Borough Local Plan 2019.

8.2 In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Plan 2019 according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

8.3 Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

8.4 National Policy and Guidance

National Planning Policy Framework 2023

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

National Planning Practice Guidance (2014 onwards) (PPG) (in particular with regard to flood risk and coastal change)

8.5 Reading Borough Local Plan 2019

- CC1 Presumption in Favour of Sustainable Development
- CC2 Sustainable Design and Construction
- CC3 Adaption to Climate Change
- CC5 Waste Minimisation and Storage
- CC7 Design and the Public Realm
- CC8 Safeguarding Amenity
- EN1 Protection and enhancement of the historic environment
- EN2 Areas of Archaeological Significance
- EN5 Protection of Significant Views with Heritage Interest
- EN11 Waterspaces
- EN12 Biodiversity and the Green Network
- EN13 Major Landscape Features and Areas of Outstanding Natural Beauty
- EN14 Trees, Hedges and Woodlands
- EN16 Pollution and Water Resources
- EN17 Noise Generating Equipment
- EN18 Flooding and Sustainable Drainage Systems
- H3 Affordable Housing

- H5 Standards for New Housing
- H7 Protecting the Existing Housing Stock
- 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

9.1 Supplementary Planning Documents

Revised Parking Standards and Design Supplementary Planning Document (2011)
Sustainable Design and Construction (2019)

8.7 Other relevant guidance

Reading Borough Council Tree Strategy (March 2021)
Reading Biodiversity Action Plan (March 2021)
DCLG Technical housing standards – nationally described space standard (2015)
Reading Borough Council Strategic Flood Risk Assessment by PBA Ref 27560/4002 (June 2017)
Environment Agency Advice Note: Demonstrating the flood risk Sequential Test for Planning Applications Version 3.1 April 2012

9 APPRAISAL

9.1 The main considerations are:

- Land use principles
 - o Provision of housing
 - o Development of Private Residential Gardens
 - o Flood Risk
- Affordable Housing
- Design and related matters, including:
 - o Demolition
 - o Layout, scale and massing
 - o Impact on Major Landscape Feature, the Green Network and Waterspaces
 - o Detailed design
 - o Impacts on Heritage Assets, including significant views with heritage interest
- Amenity
- Trees and landscaping
- Ecology
- Transport
- Archaeology
- Sustainable Urban Drainage
- Sustainability and energy
- Planning Balance

9.2 Each element is therefore considered below.

Land use principles

Provision of Housing

- 9.3 It is firstly acknowledged that the proposal seeks the demolition of existing dwelling and outbuildings at the site. Policy H7 guards against the net loss in the number of residential units or gross floor area at sites. However, the proposal also seeks to construct a new single dwelling on the plot, which will be larger in floor area than the existing dwelling. Accordingly, the proposals would comply with Policy H7 in this regard. The proposals result in neither an increase nor a reduction in the number of residential units at the site, which in principle terms raises no initial land use concerns.

Development of Private Residential Gardens

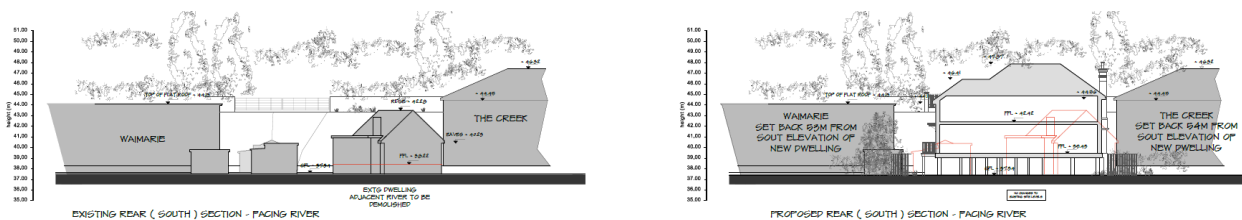
- 9.4 Another starting point in the assessment of any scheme of this nature is Policy H11. The proposal involves new residential development that includes land within the curtilage of private residential gardens and does not comprise any of the exclusions referenced within the supporting text to the policy. In relation to the various component parts of this policy the applicant has submitted commentary in support of the proposals. The policy is referenced in **bold**, with the commentary provided by the applicant shown in *italics*. The officer assessment / comments are then stated, as underlined, below each point too:

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; *The existing house is located in very close proximity to the river. It's location differs considerably from the existing built form along The Warren which sits closer the road. The proposal seeks to relocate the dwelling further away from the river in order to reflect the prevailing character of the area. Although the proposed dwelling is now closer to neighbouring dwellings, the proposed distance of more than 40m will maintain the existing space around buildings in the area. The location of the existing dwelling is atypical (but not unique) along The Warren. Set within this context, the proposal represents an improvement (being closer to being adjacent to the highway, where the majority of houses are located. However, the proposed siting in itself does not particularly align with the prevailing character, being set further south away from the highway than the majority of houses in the locality. This is due to the narrower nature of the plot (in comparison with others) and the topography (there being a significant fall in land levels adjacent to the highway). Ultimately, the size and nature of the proposed dwelling aligns with the prevailing character and therefore this criteria is considered to have been met on balance.*

- 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; *As discussed above, the revised dwelling location seeks to improve the relationship between the building on this site and the existing building line. In terms of built up coverage of the plot, the existing built form proposed to be demolished has a combined built footprint of 168.6m². The proposed dwelling and garage have a combined built footprint of 190m². This is only a 12.5% increase. As such, there will only be a minor increase built up coverage of the plot. The existing pattern of an open frontage onto the river with vegetated side boundaries will remain unchanged. It is clear that in some respects (building lines and rhythm of plot frontages) that this proposal does not integrate with the predominant surrounding context, but given that the existing dwelling does not either and the context referenced in 1) above, some flexibility can be afforded in this regard. The proposed built up coverage is not dissimilar to other plots along this part of The Warren and no changes to the boundary treatment are proposed. Therefore, on balance, this criteria has been suitably demonstrated.*

- **providing appropriate hard and soft landscaping, particularly at site boundaries.** This includes features such as the variety of trees, hardstanding/lawns and hedges, etc; *The existing hardstanding forming the concrete driveway is to be removed and replaced with a permeable surface. A new native hedgerow is proposed to the western boundary. No trees are proposed for removal and the scheme has been carefully designed to sit sensitively around the existing trees on site. As per the observations provided at section 5.1 above, RBC Natural Environment has (following the submission of revised and additional information during the course of the application) no objection to the proposals subject to a series of conditions being secured in the event of permission being granted*

- **compatibility with the general building height within the surrounding area;** *The majority of the dwellings along The Warren are set on higher land closer to the road and there is a varied building height between different properties. Despite being raised to mitigate flooding issues, the eaves height of the proposed dwelling is 44.56m AOD, compared to 44.45m AOD of the neighbouring dwelling to the east. This demonstrates that the proposed dwelling will be compatible with the general building height within the surrounding area. The proposal would present a significant increase in building height at the plot, when compared with the existing arrangements. The existing building, at single storey and set on the riverbank, does not represent the predominant building form, which is instead considered to be two-storey dwellings. The proposals would align with that general characteristics, albeit built on stilts and including an extensive roof profile too. Assisted by the proposed section shown below, the intended height is considered to be generally compatible with those in the area and thus appropriate.*



- **the materials and elevational detail.** These should be high quality, and where appropriate distinctive and/ or complementary; *The elevation detail has been designed to be a high quality, traditional style. The materials have been chosen to reflect local architectural styles and therefore be complimentary to the character of the area. As specified within the detailed design section below, this has not been demonstrated in full as part of the application, but can suitably be secured via planning condition in the event of permission being granted.*

- **the arrangement of doors, windows and other principal architectural features and their rhythm between buildings.** *There is no additional relationship of windows, doors or architectural features between the neighbouring buildings. The proposed building has hip roofs, a chimney and brick plinths in order to provide it with traditional architectural features. The primary windows have been placed on the south elevation to benefit from the maximum advantage of solar gain and maximise natural light to the primary living. In principle, the proposals seek to provide standard windows, openings and architectural features, which generally align with the prevailing context, so no inherent issues are raised in this regard.*

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; *The dwelling has been designed to sit comfortably within its setting given the size of the existing plot. The central part of the site is the widest part of the plot and the new dwelling is shown in this area. Ample space is provided around the building and the plot benefits from a large amount of amenity space*

running down to the river. It is considered that although the proposed building is expansive in nature, this corresponds with the overwhelming majority of existing dwellings in the locality, as does the accompanying access, parking and amenity space, meaning the proposal is considered to comply in this regard.

3) The proposal includes access, which meets appropriate highway standards; *The existing access serving the site is not proposed to change. As per the observations provided at section 5.3 above, RBC Transport is content in this regard.*

4) The proposal does not lead to tandem development; *The proposal is for a replacement dwelling and therefore does not lead to tandem development. Subject to a condition securing the demolition of the existing dwelling and structures prior to the first occupation of the proposed dwelling (as discussed in more detail in the design / demolition section below), the proposal would 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; *As discussed above, the setting back of the proposed house will minimize the exposure of the dwellinghouse to the public area along the river. There is no requirement for additional security measures. It is considered that the proposal is appropriate in this regard.*

6) The proposal does not cause a significant detrimental impact to the amenity of adjacent and nearby occupants; *The site is screened from neighbouring dwellings by mature vegetation. The proposed house is 42.5m away from its nearest neighbour and therefore will not cause any detrimental impact to the amenity of adjacent or nearby occupants. Subject to a series of conditions, as detailed within the separate amenity section below, the proposals are considered to comply in these regards.*

7) The emphasis is on the provision of family-sized housing. *The proposal is seeking to demolish a 2-bed property and replace it with a 4-bedroom family home. It therefore accords with the Council's emphasis on the need for more family-sized housing. It is considered that the proposal is appropriate in this regard.*

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; *The proposed development sits on the edge of an area of identified biodiversity interest but not within it. Accordingly, the designs allow for the provision of biodiversity net gain with additional tree and hedge planting, as well as bat and bird boxes, hedgehog domes and other habitat creation. The significant removal of concrete hardstanding will also contribute to green space within the site. In conclusion, this proposal needs to achieve a minimum of bo [Officer note: it is assumed this was meant to say 'no'] net loss of habitat, as this is a self-build project. However in this instance it can be seen as there are benefits in all three areas. Total net % change: Habitat units 10.96% ✓ / Hedgerow units 163.47% ✓ / Watercourse units 47.06% ✓ As per the GS Ecology observations at section 5.2 above, the RBC consultant considers that the applicant has failed to demonstrate that the proposal will not result in a net loss of biodiversity. As such, this is not met, as discussed further in the Ecology section below.*

9) The proposal does not prejudice the satisfactory development of a wider area *There is no wider area to develop so this policy is not relevant to this proposal. This proposal is not*

considered to unduly compromise the ability of either neighbouring or nearby occupiers from potentially extending, altering or redeveloping their own dwellings.

- 9.5 Accordingly, in all respects barring criteria 8) in terms of biodiversity net gain, the proposals are considered to comply with Policy H11.

Flood Risk

- 9.6 A further initial matter of core, principle consideration revolves around flood risk. As per paragraph 1.3 above, the application site is within Flood Zone 3b (the functional flood plain), as confirmed in the Environment Agency response.

Sequential Test

- 9.7 It is firstly clarified that the Sequential Test applies in this instance, as the proposal constitutes a 'Non-major development' (not '[minor](#)' – which would be exempt) in an area of risk of flooding. The Sequential Test seeks to direct development to areas of lowest risk of flooding in the first instance, as per Policy EN18 (Flooding and Sustainable Drainage Systems) and paragraph 165-175 of the NPPF (with the aims and objectives of the NPPF also replicated in the PPG).

- 9.8 At pre-application stage the applicant was advised that the proposals would need to satisfy the sequential test, that the scope of the assessment would be within the boundary of Reading Borough and that the Sequential Test Assessment would be assessed at application stage. At the outset of the application submission, the sole reference within the supporting documents submitted, comprised the following within the Planning, Design & Access Statement:

Sequential Test

The pre-application response from the Council suggests that the proposal would require a Sequential Test based on the guidance of the NPPG. This application is for a replacement dwelling for the applicant/landowner to live in. The applicant does not own any other land in the district and it is unreasonable to suggest they could build a replacement dwelling somewhere else in the district. The improvements to the existing flooding situation discussed above are a material consideration that means a Sequential Test should not be required in this instance.

- 9.9 Essentially, the position stated was that the “*Sequential Test should not be required in this instance*”. In initial feedback to the applicant on 13/12/2023, officers raised concerns with this (as per pre-application feedback), but advised that clarification was anticipated from the EA as to whether the Sequential Test applies in this case (note, this was not anticipating the EA to comment on the merits or otherwise, as it is for the Local Planning Authority to assess the Sequential Test). Once the EA response was provided, the following officer feedback was provided to the applicant on 01/02/2024:

In terms of the sequential and exception tests, I note in the 'Advisory – Safe Access & Egress' section of the EA response it is stated that “This is on the understanding that you have concluded that the proposed development has passed the flood risk sequential test”, which I interpret as the EA confirming that the sequential test applies. Given our previous discussions, I have since corresponded with the EA and this has been confirmed. Your replacement dwelling proposal is a non-major (not minor) development and the site is within a flood zone (3b) whereby the sequential test applies. This stems from [the PPG](#), which was advised at pre-application stage.

Accordingly, I can advise that a full sequential assessment is required to be submitted for assessment and the basis for you seeking not to apply this (your commentary to date) is not accepted. It is difficult to envisage that there are not sequentially preferable sites elsewhere in the Borough (with the whole Borough being the catchment search area) which could accommodate a single dwelling comprising family housing of three bedrooms or more (as proposed – mindful that proposals for family housing would always be expected to fulfil the sequential test within the Borough), given your site is within flood zone 3b and sites do not need to be owned by you as the applicant for them to be considered ‘reasonably available’ as per the sequential test methodology.

9.10 In the revised Planning, Design & Access Statement by STL Architecture and Planning, received on 17/05/2024, the applicant stated the following in respect of the Sequential Test:

Sequential Test

The National Planning Policy Framework December 2023 Section 165 says “inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk”

This proposal is a redevelopment and not a new development. It doesn't create any additional new dwelling, it doesn't degrade the water flow, it doesn't decrease the flood zone and it doesn't introduce new risks. In fact, the design improves the floodplain volume, improves the flood-flow and decreases the risk to safety.

The plot currently houses a non-optimal home that degrades the floodplain with a house that has legitimacy to remain indefinitely with permitted development rights to extend and adapt. The current non-optimal factors include reduction of the floodplain, interference with the flow of water, high risk of the need to evacuate and no evacuation safety arrangements... not to mention ecological enhancements to the green corridor adjacent to the riverbank.

This is not a greenfield application to develop in Flood zone 3 where no previous development exists. Preventing the replacement of a dwelling can never result in the home being demolished. Preventing replacement of the dwelling will knowingly prevent multiple flood zone improvements being put in place on a brownfield site.

The following describes how the proposal will create an improved situation...

- The permeable floodplain area would increase from 1533m sq to 1777m sq (excluding the area under the replacement dwelling which if well managed would further increase permeability).
- The volume of the floodplain would increase, subject to agreement that the area under the house can work as an effective void. The owners have already indicated they are ready to accept design optimisation to minimise voids getting blocked and eliminate silt build up, the owners are happy to accept terms that prevent the void becoming storage and the owners are ready to accept an ongoing inspection & remediation program
- The particularly acute flood plain interference created by the lack of openings in the current house plinth and proximity to the river would be fully removed and replaced by a structure that has minimal flow disruption and would be repositioned 25m further back from the river's edge
- The home would be built to recommended levels to prevent the need for flood evacuation.
- The home would have a tried and tested exit method should people need to leave the home during a flood period.

The proposal will fully remove the current dwelling and replace it with a single dwelling.

We would request that the review of this application recognizes this is a redevelopment and not a new development increasing floodplain living. It offers improvements to floodplain optimisation and safety. A sequential test would knowingly attempt to block the proposed improvements in all 5 key areas... floodplain volume, floodplain flow, floodplain permeability, safety and rights to improve what currently exists. The proposed surface water run off produced as a result of this replacement dwelling will also be dealt with through the use of Sustainable Urban Drainage Systems, and therefore reduce the peak flow rate of surface water run off leaving the site, therefore not only reducing flood risk at the site further, but reducing flood risk elsewhere.

9.11 The applicant/agent has also queried the consistency of approach by the Council, in light of a permission being granted at nearby Willowbrae in 2022 (see paragraph 4.3 above). Having looked into the context of that permission, it would appear that the submission erroneously specified that the development was a ‘minor’ development (the sequential and exception tests do not apply to ‘minor’ development – as shown in the extract below) and this was unfortunately not picked up by officers at the time. It would appear that Willowbrae should have actually been recognised as a ‘non-major’ development, whereby the

Sequential and Exception Tests should have been engaged. This is not considered to be a suitable, appropriate or acceptable basis to preclude the need for the Sequential Test to be applied to this application, bearing in mind that this application is considered on its own merits and is to be determined in accordance with the development plan unless material considerations indicate, as per Section 38(6) of the Planning and Compulsory Purchase Act 2004. Put another way, the decision by the Local Planning Authority at Willowbrae is not considered to constitute a material consideration which overrides the development plan policy in the consideration of this application.

The proposed residential end use has a MORE VULNERABLE classification as detailed in NPPF Annex 3. However, given this is a replacement residential property and classified as minor development, there is no requirement for the sequential test and exception test to be applied. Flood resistance measures will be considered to mitigate future flooding.

Extract from the FRA included for application 212017 at Willowbrae, where it was incorrectly stated that the development was minor development

- 9.12 In summary, the revised information submitted by the applicant fails to constitute a Sequential Test Assessment, with no consideration given to any other alternative sites within the Borough (the catchment search area of any Sequential Test Assessment, as advised by officers at pre-application stage), to identify whether there are any reasonably, available and suitable alternative sites at a lower risk of flooding, as per the established PPG approach. It follows, therefore, that the application has failed to demonstrate that the proposed development would meet the Sequential Test in respect of directing development to areas at lowest risk of flooding in the first instance. In short, the Sequential Test is not passed, or put another way, is failed, in this case. This is given the assessment, considering possible alternative sites within the Borough, as advised at pre-application stage, has not been undertaken, with the submission instead seeking to suggest that the Sequential Test assessment does not apply in this case, contrary to the clear approach within guidance referenced within officer responses. This is a significant shortfall of the proposed development.

Exception Test

- 9.13 Turning to comment on the Exception Test, it is firstly clarified that the Exception Test is not applied (or officially engaged) as part of this assessment, given the Sequential Test has not been passed and it is a prerequisite for the Sequential Test to be passed before then assessing the proposals in terms of the Exception Test, as per the [PPG \(Paragraphs: 031 & 032 Reference ID: 7-031-20220825 \(& 7-030-20220825\) Revision date: 25 08 2022\)](#).
- 9.14 Hence, it is purely noted for information that during the course of the application the following was submitted in respect of the Exception Test:

Considering the Exception Test, The National Planning Policy Framework December 2023 Section 170 says 2 criteria must be met...

- “sustainability benefits to the community that outweigh the flood risk”, in this case through better flow, a larger floodplain, easy walking and cycling distance to Caversham centre, easy walking distance to Reading station and all required infrastructure services already in place
- “development [that] will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall” in this case through build levels, increased floodplain and improved emergency exit.

From the data above, both of these can be demonstrated.

Furthermore, the main reason for this re-development at the site for a new dwelling to replace the existing dwelling, is that the clients are aware that obtaining buildings and contents insurance for their current dwelling is problematic, in fact just recently Nationwide Building Society have declared that they will stop granting mortgages for dwellings in high flood risk areas, and some building societies have stated that they will only provide mortgages for homes where home insurance is in place. Therefore, this coupled with the major concerns over the safety of the occupants of the existing dwelling, are the main reasons why the client is applying for planning permission to build this new dwelling. The new dwelling will be raised on stilts with the accommodation above the modelled flood level, including an allowance for climate change, therefore requiring no evacuation during an extreme flooding event, and providing safe access and no need for the occupants to leave their homes for long periods of time whilst flood damage is repaired.

We appreciate the stance on new developments in flood risk areas. However when an existing home does not provide flood safety for the occupants and would require complex and risky evacuation of the residents in times of flooding, it genuinely makes no sense for this permission not to be granted on the grounds of flood risk.



January 2024 where the water reached 80cms up the house (20cms higher than shown in this picture)

9.15 In the interests of clarity, it is initially confirmed that the proposed use constitutes a ‘more vulnerable’ use (building used for dwelling house) as per [Annex 3 \(Flood Risk Vulnerability Classification\)](#) of the NPPF. In addition, as per Table 2 (Flood risk vulnerability and flood zone ‘incompatibility’ – shown below in full and [online](#) within the PPG), normally proposals within sites such as this within Flood Zone 3b (the functional floodplain) would constitute a “*development [which] should not be permitted*”, therefore automatically meaning the development would not engage the Exception Test and should instead simply not be permitted on this basis.

Table 2: Flood risk vulnerability and flood zone ‘incompatibility’

Flood Zones	Flood Risk Vulnerability Classification					
		Essential infrastructure	Highly vulnerable	More vulnerable	Less vulnerable	Water compatible
Zone 1		✓	✓	✓	✓	✓
Zone 2		✓	Exception Test required	✓	✓	✓
Zone 3a †	Exception Test required †	X	Exception Test required	✓	✓	✓
Zone 3b *	Exception Test required *	X	X	X	✓ *	✓ *

Key:

✓ Exception test is not required

X Development should not be permitted

Notes to table 2:

- This table does not show the application of the [Sequential Test](#) which should be applied first to guide development to the lowest flood risk areas; nor does it reflect the need to avoid flood risk from sources other than rivers and the sea;
- The Sequential and [Exception Tests](#) do not need to be applied to those developments set out in [National Planning Policy Framework footnote 56](#). The Sequential and Exception Tests should be applied to ‘major’ and ‘non major’ development;
- Some developments may contain different elements of vulnerability and the highest vulnerability category should be used, unless the development is considered in its component parts.

“†” In Flood Zone 3a essential infrastructure should be designed and constructed to remain operational and safe in times of flood.

“*” In Flood Zone 3b (functional floodplain) essential infrastructure that has passed the Exception Test, and water-compatible uses, should be designed and constructed to:

- remain operational and safe for users in times of flood;
- result in no net loss of floodplain storage;
- not impede water flows and not increase flood risk elsewhere.

Paragraph: 079 Reference ID: 7-079-20220825

9.16 However, consideration is given to the [Reading Borough Council Strategic Flood Risk Assessment](#) (SFRA) by PBA Ref 27560/4002 (June 2017), whereby more detailed guidance in respect of Flood Zone 3b within Reading Borough is given. The relevant extract from section 10.1 is shown below, with this confirming that Flood Zone 3b is delineated into Flood Zone 3b 'Developed' (areas of previously developed land) and Flood Zone 3b 'Functional Floodplain' (areas of existing open space that are subject to flooding). Set within this context, the application site is considered to be 'previously developed land', given the existing dwelling and ancillary structures at the site, within the definition extracted from the NPPF within the SFRA. It is noted that the SFRA dates from 2017 and the NPPF has been updated on a number of occasions subsequent to that. It is confirmed that the definition of 'previously developed land' has not significantly altered in the intervening time. As such, as paragraph 10.1.7 of the SFRA notes, the 'Developed' Flood Zone 3b "are considered equivalent to Flood Zone 3a for planning purposes".

10.1.5 As the definitions in **Table 10.1** confirm, Flood Zones 1, 2 and 3a are strictly defined by an assessment of probability. The definition of Flood Zone 3b is more subjective; this Zone is identified by Local Authorities, in consultation with the EA, taking account of local circumstances rather than being defined solely on rigid probability parameters.

10.1.6 The starting point for considering and identifying Flood Zone 3b is as follows:

- Land which would naturally flood with an annual probability of 1 in 20 (5%) or greater; or
- Land which is designed to flood (such as a flood attenuation scheme) in an extreme 1 in 1000 (0.1%) annual probability flood.

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SFRA\wp\Report\27560_4001_Reading SFRA_rmf_June17.docx

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Reading Borough Council
Strategic Flood Risk Assessment



10.1.7 The consideration of Flood Zone 3b should take into account the effects of defences, natural topography and other flood risk management infrastructure which may prevent regular flooding. Areas which are prevented from doing so by existing defences, infrastructure or solid buildings, will not normally be considered as Functional Floodplain. The 'starting point' for considering the extent of Flood Zone 3b based on the 1 in 20 annual probability flood extent is detailed on the modelled flood extents in **Appendix C** and areas subject to flooding in a 1 in 20 (5%) annual probability fluvial flood event have been delineated into two sub-categories:

- **Flood Zone 3b 'Developed'** – areas of 'previously developed land', which are considered equivalent to Flood Zone 3a for planning purposes, and;
- **Flood Zone 3b 'Functional Floodplain'** – areas of existing open space that are subject to flooding.

10.1.8 The NPPF defines 'previously developed land' as follows (**emphasis added**):

"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 has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private 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 in the process of time".

10.1.9 Final consideration of whether a site is Flood Zone 3b should be made by the Council on a site-specific basis and according to local circumstances.

9.17 Hence, whilst the site is in Flood Zone 3b, for planning purposes as per the SFRA, the site can be considered as Flood Zone 3a for planning purposes. When returning to Table 2 (Flood risk vulnerability and flood zone 'incompatibility'), this shifts the proposals from 'development [which] should not be permitted' to 'Exception Test Required'. Therefore, had the proposal been able to satisfy the Sequential Test (which as outlined separately above it has not done so), then the Exception Test would have been applied and considered. Given the Sequential Test has been failed, it remains that the Exception Test has not been considered. It is acknowledged that the feedback to the applicant on 01/02/2024 was made without the benefit of consideration of the additional context referenced within the SFRA. Whilst unfortunate, this is not considered to have led to a different outcome in the ultimate decision on the application.

Flood Risk Assessment

9.18 Turning to consider the Flood Risk Assessment submitted in support of the application, the EA has been a Statutory Consultee given the nature and location of the site. Following initial concerns raised in the initial EA consultation response dated 30/01/24 (see section 5.6 above), the applicant was provided with an opportunity to overcome the various concerns raised. Further iterations of the FRA were submitted on 25/04/24, 17/05/24 and 12/06/24, with the EA's subsequent response considering the most recently received FRA. The submitted FRA outlines the existing and proposed contexts, with the proposed dwelling said to be raised 300mm above the modelled flood level and including a structure raised on stilts, amongst a range of other information submitted in support of the proposals. This includes the applicant considering that the proposals will provide a significant net gain in the capacity of the flood plain, the flow of floodwater on the site and the safety of residents by removing the existing structures from the site. However, the EA has maintained significant and fundamental concerns with various elements of the proposed strategy (as specified in section 5.6 above), thereby meaning that the EA consider that the applicant has failed to adequately assess the flood risks posed by the development. In particular, the EA is concerned that the proposals fail to:

- use the most up to date available information to assess flood risk;
- demonstrate the development will not increase flood risk elsewhere;
- consider how people will be kept safe from the identified flood hazards;
- demonstrate that finished floor levels will be set above the 1% annual exceedance probability (AEP) flood level with an appropriate allowance climate change, leading to an unacceptable risk to the health and safety of the occupants in a flood event.

9.19 This leads to an overriding conclusion that the proposals are contrary to Policy EN18 of the Reading Borough Local Plan 2019 and paragraphs 165 and 173 of the National Planning Policy Framework 2023, in addition to the PPG too on flood risk. The applicant does not agree with the EA's position, submitting various emails (for example, see paragraph 6.37) subsequent to the EA's latest response, but these do not persuade officers to deviate from the clear and consistent advice provided by the specialist consultee. This is therefore a significant shortcoming of the proposed development.

Affordable Housing

9.20 Policy H3 (Affordable Housing) seeks for residential development to make an appropriate contribution towards affordable housing to meet the needs of Reading. The policy clarifies

that the following types of residential development will be exempt from the requirement to provide affordable housing:

- Replacement of a single dwelling with another single dwelling

9.21 This is the type of development proposed in this instance, with a condition required to ensure that the current dwelling is demolished in full prior to the first occupation of the proposed dwelling. Accordingly, it is confirmed that the development is exempt from requiring to provide affordable housing.

Design and related matters

Demolition

9.22 The existing dwelling and the associated structures proposed to be demolished are not considered to be of any special architectural or historical value, to an extent which warrants retention on these grounds. Accordingly, on the proviso of the replacement dwelling and associated structures being suitable in design terms, there are no in-principle issues associated with the loss of the existing structures.

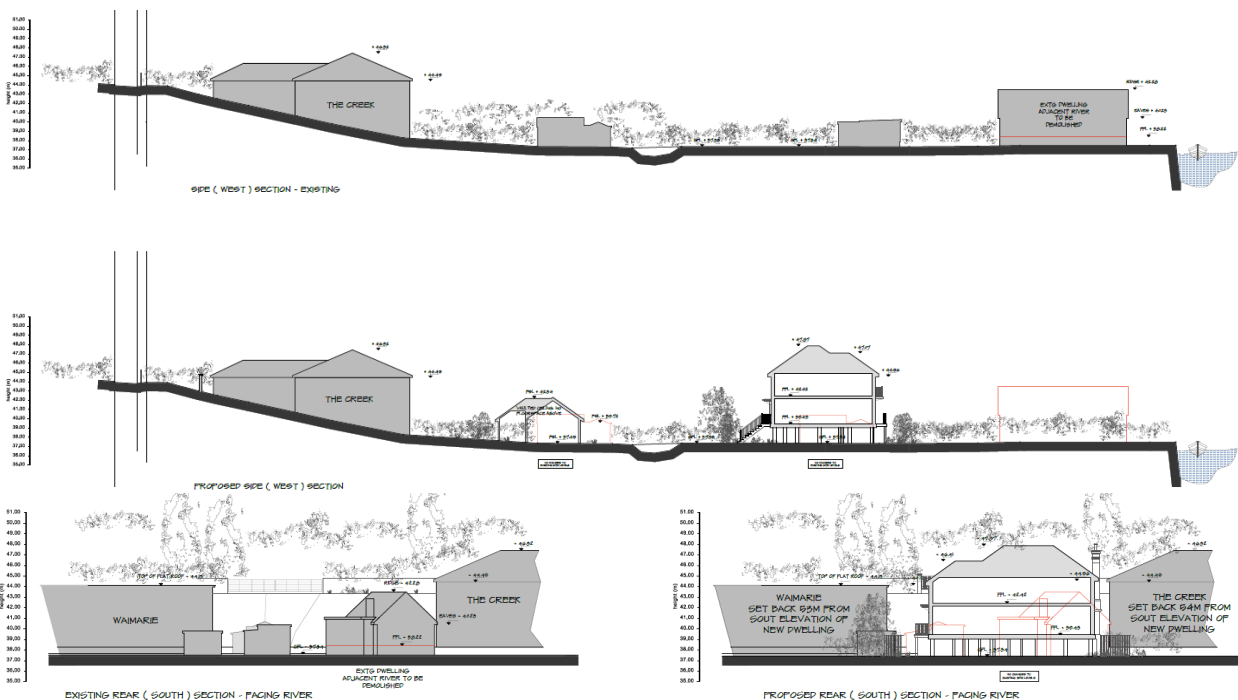
9.23 Linked to this, it is considered necessary, in the event that permission is granted, for a condition to secure the demolition of the existing dwelling and the provision of soft landscaping (as shown) prior to the first occupation of the newly proposed dwelling. This is required to prevent the partial implementation of any permission (for example, the construction of the proposed dwelling, but the existing not being demolished) resulting in two dwellings being in place at the site, rather than one. This is required, as if the existing building were to remain, it is considered that the proposals would be contrary to a host of policies and this is not the basis on which this application has been considered.

Layout, scale and massing

9.24 Considering the layout and positioning of the proposed dwelling first, as alluded to in respect of comments at paragraph 9.4 above in terms of Policy H11 1), whilst the siting of the proposed dwelling does not align with the predominant building line, in the context of the existing dwelling not doing so either, this is considered to be adequate. Given the overall size of the plot, the footprint of the proposed dwelling is considered appropriate in this locality. The proposed garage/car port is not harmfully larger than the existing arrangement and, in practice, represents the nature of a typical facility for contemporary sized vehicles.

9.25 Turning to scale and massing elements of the proposals, it is readily acknowledged that the proposals represent a significant increase in comparison with the existing site conditions. However, in light of the recent prevailing context along this part of The Warren, the scale and massing is not considered out of keeping with the surrounding area. With the stilts at effective ground floor level, the property consequently amounts to a three-storey dwelling with accommodation on two floors. No accommodation is shown in the roofspace, which is significant in its form, thereby suggesting that there may be future pressures to include roof dormers at this point. It is considered that the scale and massing as proposed, mindful of the Major Landscape Feature, the Green Network and Waterspace context referenced separately below, is the maximum suitable at the site. In the event of permission being granted, planning conditions would on this occasion be reasonable and

necessary to secure the removal of various permitted development rights. More specifically, that would be in terms of Class A (enlargement, improvement or other alteration), Class B (enlargement of a dwellinghouse consisting of an addition or alteration to its roof), Class D (erection or construction of a porch outside any external door) or Class E (building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse), without express planning permission from the Local Planning Authority. Owing to the constrained nature of the site, unrestricted development could harm the appearance of the dwelling and wider general area.



9.26 In terms of the garage/car port, the scale and massing of this component part of the scheme is reflective of the proposed function. However, the inclusion of expansive roof space provides the potential scope of the space being converted for separate residential occupation or business use. To prevent such possibilities, any permission would be subject to a condition to ensure the garage/car port would solely be used for parking of vehicles and not be used as a separate dwelling or business unit.

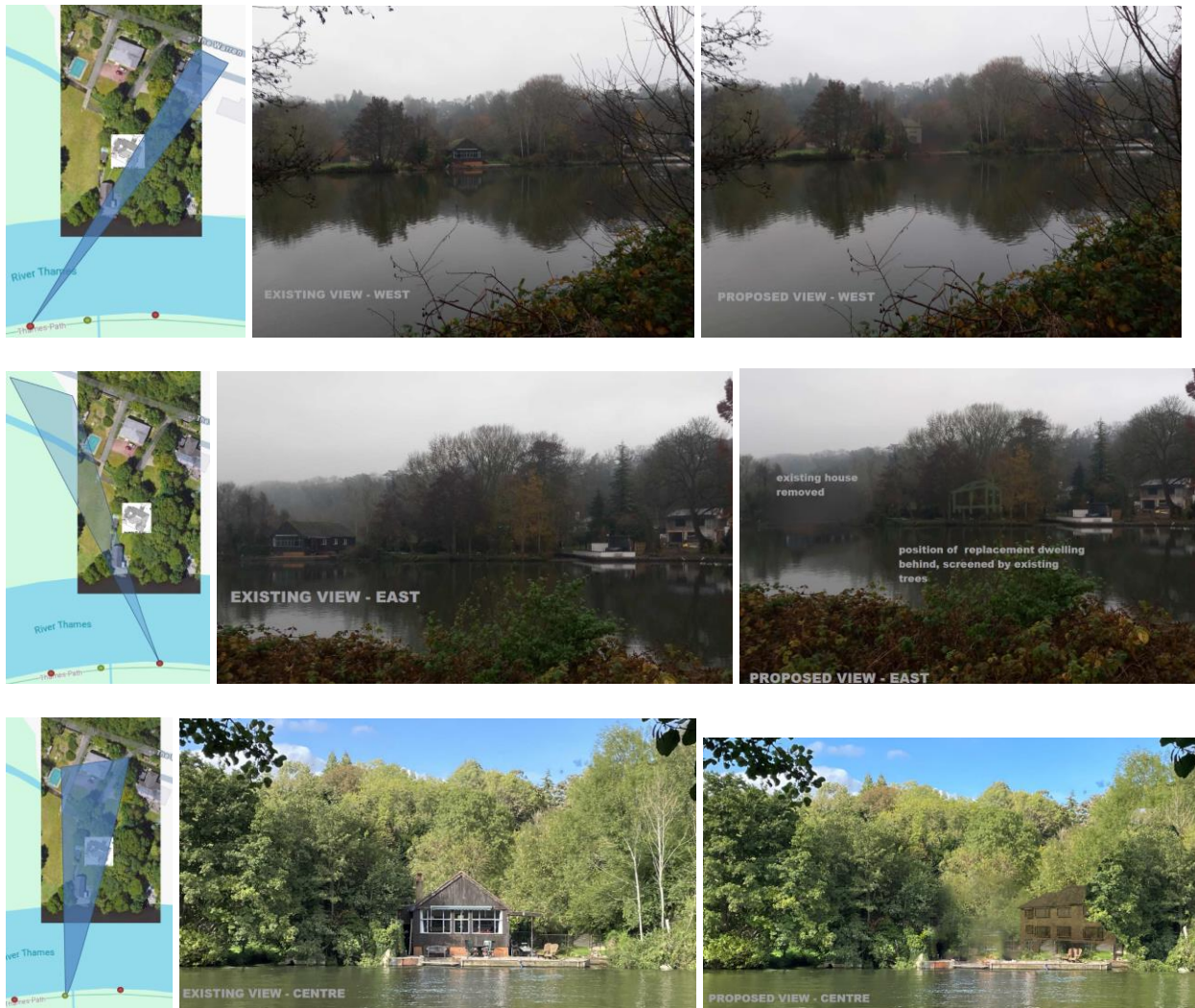
9.27 In terms of the boundary treatments and site entrance arrangements, the amended plans during the course of the application suggest that no changes are proposed to the existing arrangements, leading to no specific concerns being raised from a design perspective.

Impact on Major Landscape Feature, the Green Network and Waterspaces

9.28 Intrinsically linked to the layout, scale and massing considerations, the impact of the proposals on the Major Landscape Feature, the Green Network and Waterspaces are all important considerations. These are considered on the basis of the proposals as standalone entities and within the context of the existing structures at the site.

9.29 In line with Policy EN13, the proposed development will be required to demonstrate that it will not detract from the character and appearance of the Thames Valley Major Landscape

Feature the site is located within. As per Policy EN12, permission will not be granted for development that negatively affects the site sites with identified (green network) value or fragments the overall network, with the green network maintained, protected, extended and enhanced. Policy EN11: Waterspaces requires Reading's waterspaces to be protected and enhanced, with a range of criteria referenced. The applicant has submitted commentary against the various component parts of Policy EN12 and, during the course of the application, provided visual material from three vantage points on the south side of the river to demonstrate the potential impacts of the proposals at these points, set in the context of the existing position (see below).



9.30 Officers consider that in the context of the existing situation at the site, whilst the proposal is a far more significant structure than existing, the significant set back of the proposal is considered to mitigate this impact on the Major Landscape Feature, the Green Network and the Waterspace, to such an extent that the proposal is considered acceptable in this context. In terms of the proposals being considered on their own basis, again the significant setback and the prevailing verdant context help to reduce the proposed impact to such an extent that it is considered to assimilate adequately into its setting. Had the proposed building been positioned on the footprint of the existing dwelling, on the riverbank, it is considered that significant concerns would have arisen in respect of these

policies. However, the significant set back of the footprint of the proposed dwelling, together with the removal of the existing structures (and replacement with soft landscaping, as secured via condition – as referenced elsewhere) means the delicate balance between the policy context and the applicant's aspirations for the site are achieved in scale and massing terms. As mentioned previously though, a removal of various permitted development rights, in the event of permission being granted, is reasonable and necessary in this case, particularly due to the sensitive Major Landscape Feature, Green Network and Waterspace policy context in this instance.

Detailed design

9.31 Turning to consider detailed design matters, as per Policies CC7 and H11 in particular, a high design quality is required to maintain and enhance the character and appearance of this part of the Borough. In this regard, initial officer feedback during the application advised that the level of information was considered to be limited, with the proposed elevation plans only specifying “painted timber joinery”, “facing brickwork” and a “natural slate roof” annotated on the elevations of the dwelling and the supporting statement referencing these as “high quality, traditional style”. No indication of the proposed materials of the significant areas of balcony/terrace/entrance steps has been specified, nor any indication of materials associated with the garage/car port has been detailed. Accordingly, owing to the policy requirements and the sensitivities of the site, the applicant was invited to provide further details to seek to evidence the quality of the proposed build.

9.32 In response, the applicant submitted commentary and some of the additional visual information (shown separately above) also provided an indication of intent. More specifically, the agent sought for material details to be conditioned in the event of permission to be granted, before indicating an intention regarding the proposed brickwork:

“We request that further detailed design is conditioned. However, it would seem helpful to share the thinking on brick usage as this will significantly impact the look of the property. In line with the ambition to create something that isn't over sharp/dominant/bearing, the current intention is to use a yellow brick that has probably been tumbled to give a look with softer edges. A London Yellow brick is a good reference point for a more specific style, colour and lack of uniformity.”

9.33 It is considered that, whilst the level and nature of detail provided by the applicant is limited, based on the proposed elevations, it is ultimately considered that the principles of a predominantly brick based dwelling, with slate roof and timber windows, together with detailing of lintels is considered to be an adequate level of detail at application stage, very broadly indicating that the proposals would suitably assimilate into the existing character of the area, where there are acknowledged to be a wide variety of styles and finished appearances, from different times and differing in overall quality.

9.34 Were the application otherwise supportable full details of all materials would be secured, prior to the commencement of development barring demolition of existing structures. This is as insufficient information has been submitted at application stage, in the interests of visual amenity and ensuring the new development responds positively to the local context and character of the area.



View from MacIlroy Park
Application site is screened by mature vegetation



View from Caversham Bridge
Application site cannot be seen as the river meanders upstream

Amenity

Impact on nearby occupiers

- 9.38 Considering first the impact on existing nearby occupiers, the proposed footprint of the dwelling would be too distant from either neighbouring property to cause overlooking or loss of privacy between separate habitable rooms. However, the proposals, owing to the stilt design and proposed mass (in comparison with the existing arrangements, with a single storey structure on the riverbank) would provide new and expanded opportunities for overlooking (and resultant loss of privacy) to both neighbouring properties from the east and west facing side windows and openings proposed on both floors of the proposed dwelling. Close to the eastern boundary with Creek House the proposal includes two windows at raised ground floor level (both serving a triple aspect combined living/dining/kitchen) and two en-suite bathroom windows at first floor level. Owing to the land levels and there being no alterations proposed to the boundary treatment, whilst acknowledging there would continue to be vegetation at this point, to protect the amenity of Creek House occupiers in their rear amenity space, any permission would include a condition for these windows to be obscure glazed and not be openable below a height of 1.7 metres when measured from the floor level of the room within which they are located.
- 9.39 Close to the western boundary, the proposals include a door and 'boot room' window at raised ground floor level on the closest side facing elevation, with no windows on the corresponding first floor west-side elevation. Whilst it is acknowledged that the site plan specifies a new hedge on this boundary (but landscaping is not necessarily a permanent addition and may change through the seasons), the same condition securing this door and window to include obscure glazing will be necessary, to protect the amenity space of neighbouring Waimarie from harmful overlooking and loss of privacy. Some will also be possible from the north and south elevations and steps/balconies, but these would not be so significant at these points, with many viewpoints being at an angle in these instances.
- 9.40 With regard to visual dominance, the overbearing effects of the development and outlook, it is considered that the proposals would represent a significant change in context for neighbours in comparison with the current arrangements. There would undoubtedly be a harmful impact in terms of visual dominance, overbearingness and a reduction in outlook, but this is mitigated to an extent by the proposals being set away from the immediately side boundaries in both instances. Furthermore, the intended removal of permitted development rights, preventing further later additions without the specific grant of permission by the local planning authority, will also ensure to nearby occupiers that any future increases would be managed. Therefore, on balance, whilst acknowledging that the proposals would represent a harmful impact in these regards, the level and nature of harm is not considered detrimental enough to warrant this being a reason for refusal of the application in itself.

9.41 In respect of noise and disturbance matters, the proposed standalone ASHP, located close to the western boundary of the site, has the potential to cause harmful impacts for neighbours. During the course of the application Environmental Protection officers, as per section 5.4 above, have secured further details of the technical specifications of the ASHP, with it satisfactorily demonstrated that the noise from the ASHP meets the required standards and is deemed to be appropriate.

9.42 In terms of daylight/sunlight, artificial lighting, dust and fumes, smells, crime and safety matters, the proposals are not considered to result in any significantly detrimental impacts on the existing nearby occupiers, although some aspects would be secured via condition in the event of permission being granted, such as in terms of a demolition and construction method statement.

Amenity for future occupiers

9.43 Turning to consider the quality of accommodation for future occupiers of the proposed dwelling, the applicant has included commentary in respect of each of the Policy H5 (Standards for New Housing) requirements, as follows:

Standards for New Housing

Local Plan policy H5 sets out that new build housing should be built to certain standards, which are set out via six criteria.

- From a space perspective, the proposal is far in excess of the proposed minimum 97sq m size for a 4 bed house for 5 people and therefore complies with H5a.
- Paragraph 4.5 of the accompanying Energy Statement submitted with the application sets out how the proposal will comply with Regulation 36(3) of the Building Regulations.
- As a single dwelling the proposal isn't subject to H5c, but nonetheless the applicant is looking to achieve zero carbon status.
- The Energy Statement finds that the proposed development will achieve a 58% improvement in the dwelling emission rate over the target emission rate, as defined in the 2013 Building Regulations. This is well in advance of the minimum 19% requirement in the Local Plan. The proposal therefore complies with policies CC2 and H5d.
- To comply with flood regulations there is a need to have the house raised and access by steps. The design does however support the future installation of a mechanical platform or ramp to both the left of right of the front door in line with H5e
- This proposal is a single dwelling and not subject to H5f which addresses developments of over 20 dwellings.

9.44 It is evident from the floor plans (see below) that the proposals would include expansive accommodation for future occupiers (comfortably exceeding the nationally described space standards), including more toilets (5) than bedrooms (4). All rooms would be regularly shaped, providing good levels of outlook and suitable access to natural daylight and sunlight. The car port / garage is another element which would benefit future occupiers.



9.45 It is disappointing that the proposed dwelling is not seeking to be fully accessible, as readily acknowledged by the applicant above, as per Policy H5e. It is however recognised that there is a clear instance of inherent competing demands between the scheme seeking to adhere to flood risk requirements, whilst also being required to be accessible and adaptable in line with Part M4(2) of the Building Regulations. It is considered that the

shortfall in the accessibility requirements is regrettable, but owing to the referenced context, this should not in itself form a standalone reason for refusal of the application, with the needs of protecting the dwelling from flood risk ultimately greater in this specific instance. Furthermore, as the applicant notes, the design does enable the possible future installation of a mechanical platform or ramp either side of the access door if required. In overall terms, this intended approach is considered sub-optimal, but not a basis to seek to resist the proposals on alone.

9.46 It is generally welcomed that the proposals intend to be built to the higher water efficiency standard (Policy H5b) and far exceed the minimum improvement in dwelling emission rates over the target emission rates (Policy H5d), with this discussed separately in the sustainability / energy section below.

9.47 In general amenity terms (as per Policy CC8) and broadly in respect of Policy H5 requirements (with the exception of Policy H5e), the proposals would create a good standard of accommodation for future occupiers. However, as per the flood risk section above, there are significant concerns in respect of this component of the proposals, which would fundamentally impact on the quality of accommodation for future occupiers.

Trees and landscaping

9.48 As per the observations provided at section 5.1 above, RBC Natural Environment has (following the submission of revised and additional information during the course of the application) no objection to the proposals subject to a series of conditions being secured in the event of permission being granted.

Ecology

9.49 As per the observations provided at section 5.2 above, GS Ecology (as ecology consultants for the LPA) are satisfied with the updated bat survey submitted during the course of the application, subject to a condition securing the supervision of the demolition (as the supporting report itself recommends).

9.50 In terms of biodiversity net gain (BNG) matters, information was submitted during the course of the application (despite it being requested at pre-application stage) in order to seek to demonstrate that the relevant parts of Policies EN12 (Biodiversity and the green network) and H11 (Development of private residential gardens) are met. In particular, Policy EN12 is clear that *“on all sites, development should not result in a net loss of biodiversity and biodiversity, and provide a net gain for biodiversity wherever possible.”* Officers are also mindful that paragraph 186 of the NPPF states that *“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.”* As per section 5.2 above, GS Ecology are concerned that the applicant's most recent plans lack clarity and consistency to enable an accurate assessment to be made or verified, with a lack of detail in a number of areas which makes *“it nearly impossible to conclude that the development will lead to a net gain in biodiversity”*, as suggested by the applicant. In this context, it is considered that the applicant has failed to demonstrate that the proposal does not result in a net loss of biodiversity, thereby failing to protect the existing biodiversity value of the site, contrary to Policies EN12 and H11 of the Reading Borough Local Plan 2019.

9.51 Please note that as this application was submitted in advance of 2nd April 2024, when biodiversity net gain became a mandatory requirement on small sites, as per Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), this conclusion is reached on the basis of the adopted local policy context, as referenced above.

Transport

9.52 As per the observations provided at section 5.3 above, RBC Transport has (following the submission of revised and additional information during the course of the application) no objection to the proposals subject to a series of conditions being secured in the event of permission being granted.

Archaeology

9.53 As per the observations provided at section 5.7 above, Berkshire Archaeology advise that the site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric Roman remains. The potential impacts of the development can be mitigated through a programme of archaeological work (a Written Scheme of Investigation, together with a potential site investigation and post investigation assessment) as secured via condition in the event of permission being granted.

Sustainable Urban Drainage

9.54 As per the observations provided at section 5.5 above, RBC Lead Local Flood Authority has (following the submission of additional information during the course of the application) no objection in principle to the proposals, as from a drainage perspective it is shown that a discharge rate of 1 l/s would be provided, with the proposal also reducing impermeable areas across the site, which in itself will create a natural slower discharge rate from the site. However, as the LLFA notes, details as to how drainage from the impermeable areas on the northern side of the creek (within the site) is still required, given that all the proposed attenuation is located south of the creek. Furthermore, given the attenuation tank is not connected to any wider drainage across the site it is not clear how this would work within the overall drainage system. Hence, in the event that permission is granted, this would be subject to a pre-commencement condition securing full details of the SuDS strategy, including management and maintenance and for this to be completed prior to first occupation. Hence, whilst there are some unresolved matters, it is not considered that this warrants a reason for refusal of the application, given this can adequately be secured via planning condition.

Sustainability and energy

9.55 In line with the Sustainable Design and Construction SPD checklist, the proposal is supported by a sustainability statement. This generally demonstrates in a satisfactory manner (barring in ecology BNG terms, as separately referenced in this appraisal) that the various component parts have all been given suitable consideration in advancing the proposals. This element, barring the exception noted, is therefore broadly welcomed and supported, as per overarching Policies CC2 and CC3.

9.56 In terms of energy matters, a standalone Energy Statement has been included within the submission, which indicates that a 58% reduction in carbon emissions, comfortably

exceeding the Policy H5d requirement of achieving a minimum 19% reduction. This is achieved through the usual combination of measures. In particular, in this instance the proposal includes the on-site ASHP, thereby utilising renewable technologies. This is a welcomed benefit of the proposals, with details being secured in full via condition in the event of permission being granted.

Planning Balance

9.57 It is fully acknowledged that there would be some planning benefits associated with the proposed development, such as providing a larger dwellinghouse (a 4-bed dwelling, rather than a 2-bed) at the site for the benefit of the occupants and the welcomed sustainability and energy credentials of the proposals. There are some other instances where the proposals are acceptable subject to more details being secured via condition, as referenced in the assessment above. However, when considering the application on its own merits there are considered to be a number of significant shortfalls, such as the:

- development failing to pass the Sequential Test Assessment, therefore not demonstrating that there are no reasonable, available and suitable alternative sites at a lower risk of flooding from any source than the application site.
- failing to adequately assess the flood risks posed through the FRA submitted in a series of matters identified by statutory consultee the EA.
- failing to demonstrate that it does not result in a net loss of biodiversity, thereby failing to protect the existing biodiversity value of the site.

9.58 As such, when applying an overriding critical planning balance of all material considerations, the various shortfalls of the proposals are such that in overall terms these concerns override the merits. Put another way, in overall terms the concerns are so significant so as to weigh against the proposals when considering all relevant material considerations. Accordingly, within the context of national and local planning policies and other material considerations, as detailed in the appraisal above, full planning permission is recommended to be refused.

10. Recommendation

10.1 Refuse Planning Permission for the following reasons:

1. The proposed development has failed to provide a suitable Sequential Test Assessment to justify that there are no reasonable, available and suitable alternative sites at a lower risk of flooding from any source, thereby failing to address flood risk, contrary to Policy EN18 of the Reading Borough Local Plan 2019 and paragraphs 165-168 of the National Planning Policy Framework 2023.

2. The proposed development has failed to adequately assess the flood risks posed, with the submitted Flood Risk Assessment not demonstrating compliance with the requirements for site specific flood risk assessments by failing to: use the most up to date available information to assess flood risk; demonstrate the development will not increase flood risk elsewhere; consider how people will be kept safe from the identified flood hazards; demonstrate that finished floor levels will be set above the 1% annual exceedance probability (AEP) flood level with an appropriate allowance climate change, leading to an unacceptable risk to the health and safety of the occupants in a flood event, all contrary to Policy EN18 of the Reading Borough Local Plan 2019 and paragraphs 165 and 173 of the National Planning Policy Framework 2023.

3. The proposed development has failed to demonstrate that it does not result in a net loss of biodiversity, thereby failing to protect the existing biodiversity value of the site, contrary to Policies EN12 and H11 of the Reading Borough Local Plan 2019.

Informatives:

1. The decision relates to the following drawings and documents (only the most recent and relevant drawings and documents are referenced):

3863/101 – Existing Dwelling
3863/102 – Existing Outbuildings
As received 06/09/2023

3863/221 Rev B – Proposed Ground Floor Plan
3863/222 Rev B – Proposed First Floor Plan
3863/223 Rev B – Proposed Roof Plan
3863/231 – Existing and Proposed Entrance Gates (Please note that the proposed gates / front boundary wall were omitted from the proposals on 25/04/2024 – as per the email and block plan submitted by the applicant, so this plan only considers the existing arrangements)
3863/234 – Profile Comparison Drawing
As received 13/10/2023

3863/230 Rev A – CIL Calculations
As received 24/10/2023

3863/232 Rev A – Proposed Air Source Heat Pump Details
As received 20/11/2023

3863/220 Rev D – Block and Location Plan
3863/224 Rev F – Proposed Elevations
3863/225 Rev F – Proposed Elevations
3863/228 Rev B – Proposed Garage / Car Port
3863/229 Rev B – Sections – Existing and Proposed
3863/235 – Permeability Plan
As all received on 17/05/2024

3863/51 Rev B – Proposed Areas
3863/226 Rev D – Walls above extg grnd supporting raised ground floor slab
3863/227 Rev F – Proposed Landscape and Biodiversity Site Plan
3863/233 Rev D – Boundary Treatment Plan
As all received on 12/06/2024

3863/50 - Existing Areas
As received 20/06/2024

Preliminary Ecological Appraisal and Preliminary Roost Assessment Issue 2 by Arbtech Consulting Ltd
Energy Statement by Melin Ref 304315 dated 08/08/2023
Application form
CIL form

As received 06/09/2023

Sustainability Statement Ref 3863
As received 13/10/2023

Telford Clivet Air Source Heat Pump Technical Details
As received 07/11/2023

MCS Heat Pump Calculations by Earth Save Products Ref KM783216/2
As received on 23/11/2023

Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated 25/04/2024
As received on 25/04/2024

Planning, Design & Access Statement by STL Architecture and Planning
MCS Planning Standard for Air Source Heat Pumps
Existing and Proposed River Viewpoints (9 pages)
BNG Figures (excel spreadsheet)
Email from Shaun Tanner Architecture & Planning 'Ref - Warren Creek, Caversham (231270)', dated 17/05/2024
As all received on 17/05/2024

Updated (2024) Nocturnal Bat Survey Report for Warren Creek, The Warren, Caversham, Reading, Berkshire, RG4 7TQ by NKM Associates Ref 36323-02 NKM Assoc, dated 31/05/2024
As received 03/06/2024

Email from applicant 'Urgently seeking clarity to ensure final detail is provided appropriately' dated and received 07/06/2024

Flood Risk Assessment and SuDS Report By Nimbus Ref C3007-R1-REV-D dated June 2024
BS:5837 Arboricultural Report – Arboricultural Survey, Impact Assessment & Method Statement by Duckworths Arboriculture Ltd Ref AIA/AMS 06062 / 2023 0.3 dated 09/06/2023
BS:5837 Tree Protection Plan – Phase 1
BS:5837 Tree Protection Plan – Phase 2
Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated 12/06/2024
As all received on 12/06/2024

Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated and received 20/06/2024

Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated and received 12/07/2024

Statutory Biodiversity Metric Calculation Tool, Warren Creek, The Warren, Caversham, as received 19/07/2024

Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated and received 24/07/2024

2. The local planning authority has worked with the applicant in a positive and proactive way by clearly setting out concerns relating to the proposal and providing an opportunity for the applicant to withdraw the application. However, the applicant chose not to withdraw the application, hence the issuing of this refusal notice.

3. The applicant is advised that the refused scheme, had it been able to be approved, would have been a CIL (Community Infrastructure Levy) liable development.

4. Environment Agency Informative - Environmental Permitting - The applicant will require a Flood Risk Activity Permit (FRAP) to undertake the proposed works as the River Thames (Main river) runs adjacent to the site. As submitted, the Environment Agency advise that it is unlikely that a permit would be granted. The applicant would need to demonstrate that the proposed works will not adversely impact on flood risk or the watercourse.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted (if applicable), and the Environment Agency advise the applicant to consult with the EA at the earliest opportunity.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.