

DELEGATED APPLICATION REPORT

Ward: Caversham Heights

App Ref: PL/24/0824 Householder planning permission

Address: The Shanty, 145 The Warren, Caversham, Reading, RG4 7TQ

Proposal: Extensions and alterations to dwelling

Applicant: Jasbir Malhi

Target Decision date: 07/11/2024

Case Officer: Nathalie Weekes

1. SITE DESCRIPTION

The application relates to a three-storey brick and tile detached property, The Shanty, located on the south side of a long single track semi-rural lane (The Shanty), The Warren, and on the north bank of the River Thames. There is a change in site levels and the house slopes down from The Warren to the Thames with one storey facing onto The Warren and the rear elevation facing toward the River Thames. There is a garage to the front of the site.

There is a long garden leading down to a Grade II listed boathouse and to the River Thames frontage. The rear elevation of the house, garden and boathouse are visible from the footpath on the other side of the Thames riverbank.

The listing description is set out below under the Conservation Officer comments.

The overall character of The Warren comprises individual large, detached houses in a range of different designs and massing comprising 2 or 3 storeys.

The site is located within the flood plain (zone 3b) and sited within The Thames Valley Major Landscape Feature (policy EN13) and in a Green Link (policy EN12) as an area of identified biodiversity interest. The site is also within Flood Zones 2 and 3b as designated by the Environment Agency. The Warren is also on a cycle route.

Site visit 14 August 2024:

Photos taken at the site visit from the rear balcony towards the end of the garden and boathouse

View of The Shanty from the existing balcony



View from the end of the garden by the side of the boathouse facing towards the existing rear elevation

View from the end of the garden - existing



Photo taken from opposite side of the river Thames, The Shanty is indicated by a yellow arrow

View from across the river



2. PROPOSAL AND SUPPORTING INFORMATION

The proposal is for householder extensions and alterations to the dwelling to provide double height rooms with the following:

- 3 stepped gabled pitch roofs.
- glazed and weatherboards to elevations.
- glass balustrade balcony at first floor level.
- an air source heat pump and solar panels.
- 3 trees in a poor state in category 'U' are proposed to be removed.
- Retained access.

Proposed plans indicate a variety of hard and soft landscaping works.

Plans considered:

as received on 10th July 2024:

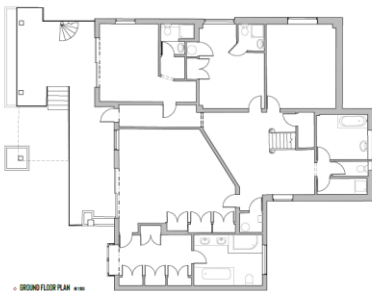
23-145TW-PL-01.1 Existing Ground floor plan
 23-145TW-PL-01.2 Existing First floor plan
 23-145TW-PL-01.3 Existing Second floor plan
 23-145TW-PL-01.4 Existing Roof plan
 23-145TW-PL-02.1 Existing and Rear elevations
 23-145TW-PL-02.2 Existing Side elevations
 23-145TW-PL-00.1 Proposed site & Location plans
 23-145TW-PL-01.5 Proposed Ground floor plan
 23-145TW-PL-01.6 Proposed First floor plan
 23-145TW-PL-01.7 Proposed Second floor plan
 23-145TW-PL-01.8 Proposed Roof plan
 23-145TW-PL-02.3 Proposed Front and rear elevations
 23-145TW-PL-02.4 Proposed Side elevations
 23-145TW-PL-02.5 Proposed River scene elevation
 23-145TW-PL-03.1 Proposed Street view visual
 23-145TW-PL-03.2 Proposed Riverside visual
 W5765_rep_The Shanty, Caversham_04-04-24 Preliminary Ecological Appraisal, Windrush ecology, dated 4th April 2024
 Full arboricultural method statement – V1, Heritage Tree Services, dated June 2024
 HTS-TPP-01A Tree Protection plan Rev A
 Design and Access Statement prepared by Bastion
 FRA – 2024 – 000021 Version 1.0 Flood risk assessment, STM environmental, 19/03/2024
 CIL form

As received 19th September 2024:

Heritage statement, prepared by Hall & Ensom Chartered Surveyors, dated August 2024

As received on 19 September 2024

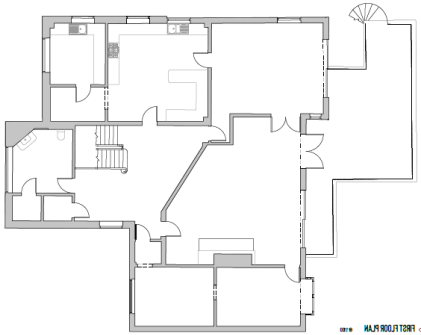
Existing ground floor plan 23-145TW-PL-01.1



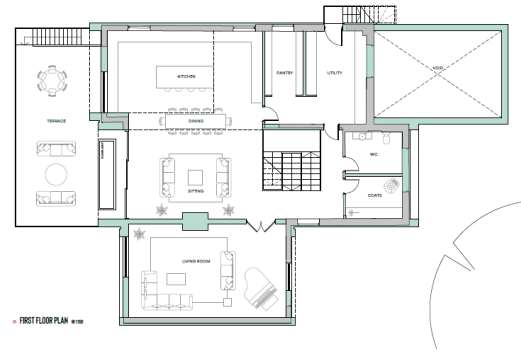
Proposed ground floor plan 23-145TW-PL-01.5



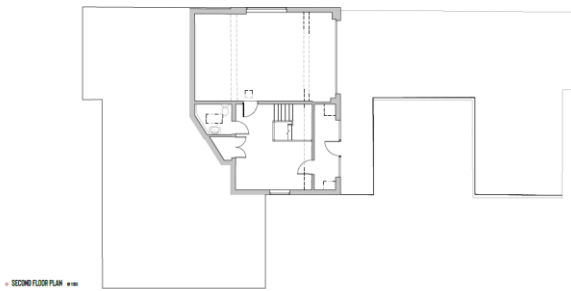
Existing first floor plan 23-145TW-PL-01.2



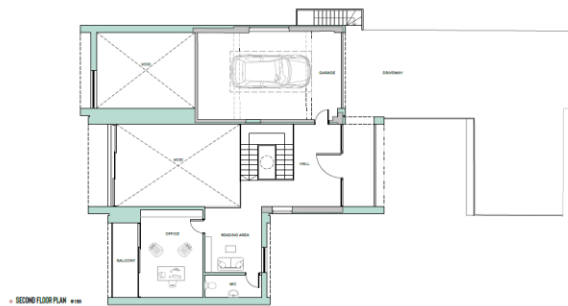
Proposed first floor plan 23-145TW-PL-01.6



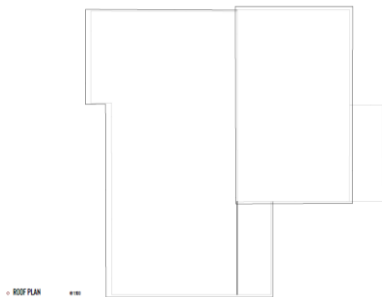
Existing second floor plan 23-145TW-PL-01.3



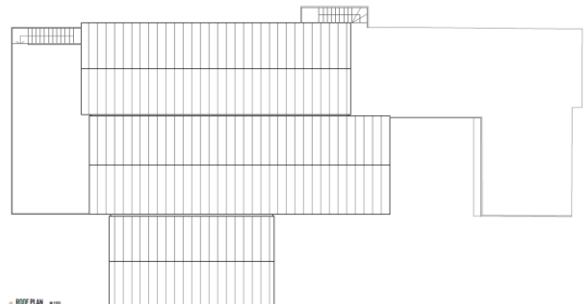
Proposed second floor plan 23-145TW-PL-01.7



Existing roof plan 23-145TW-PL-01.4



Proposed roof plan 23-145TW-PL-01.8



Existing front and rear elevations
23-145TW-PL-02.1



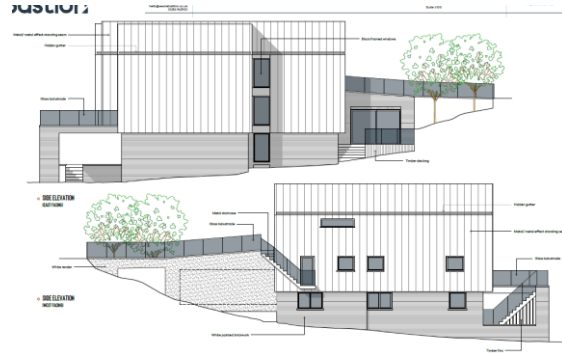
Proposed front and rear elevations
23-145TW-PL-02.3



Existing side elevations 23-145TW-PL-02.2



Proposed side elevations 23-145TW-PL-02.4



3. RELEVANT PLANNING HISTORY

160802/FUL - Alterations and extensions to dwelling - Refused 26 August 2016, Appeal dismissed 26 January 2017

Application 160802 refused elevations (not to scale)



Extract from the Appeal Decision APP/E0345/D/16/3163447:

Point 6 “The proposal would on one hand help to improve the roofscape by replacing the existing profile tiles with slates, giving the building much cleaner lines. On the other hand, however, it would also introduce several new roof slopes without establishing any clear overall form. The result would, in my view, be a cluttered, disharmonious design that would not resolve into a coherent whole. The extended house would therefore stand out unattractively from the other, more simply designed houses in this row, as seen in views from The Warren, the river and the other side of the river.”

Point 9 “I conclude that the proposal would unacceptably harm the character and appearance of both the house and the local area. It therefore conflicts with the aims of Core Strategy (CS) Policies CS7, CS8 and CS38 and Sites and Detailed Policies Document (SDPD) Policy DM9, to ensure that all extensions are of high design quality that maintains and enhances the character and appearance of the area – particularly in the vicinity of waterways - respecting the character of the house and the pattern of neighbouring properties and protecting trees from damage.”

Point 10 “Likewise the proposal conflicts with the National Planning Policy Framework’s emphasis on securing high quality design that reinforces local distinctiveness. I also find conflict with the aim of the

Council's Supplementary Planning Guidance Design Guidance for The Warren, Caversham, to protect the special character of this particular area."

230739/PREAPP – Pre-application advice for proposed extensions and alterations to existing house At: 145 The Warren, Caversham, Reading - Advice provided 27 July 2023. This was for the same proposal as the current application. Reference was not made to the listed boathouse within the pre-application response. This was an oversight. However, pre-application comments are made without prejudice. Assessment of the current proposal is made within the context of this listed building.

4. CONSULTATIONS

The following were consulted:

Lead Local Flood Authority - LLFA Consultations – No objection, the application was reviewed and I can confirm that the impermeable area is reduced by the proposed development and therefore the LLFA have no objections to the proposal.

Environment Agency Consultations – This planning application is for development we do not wish to be consulted on because Flood Risk Standing Advice applies:

Please note, this does not mean we support the application. It is the responsibility of the Local Planning Authority to apply Flood Risk Standing Advice to applications where appropriate. We have not assessed the elements of the proposal that fall within Flood Risk Standing Advice. You must view our standing advice in full before making a decision on this application, to ensure that flood risk is taken into account in your decision.

Conservation Area Advisory Committee – No objection and do not think that the proposal will have a negative impact on the setting of the listed building The Shanty and request that the applicant includes the impact on Significant Views with Heritage Impact (policy EN5). The property may be visible within View 1 from McIlroy Park.:

<https://images.reading.gov.uk/2021/11/Assessment-of-Significant-Views-with-Heritage-Interest-January-2018.pdf>

Planning Officer Note: The impact in terms of Policy EN5 is assessed below.

Reading Civic Society – No comment was received at the time of writing this report.

RBC Conservation officer – Objection (acceptable in principle but needs revisions)

The proposed development by reason of its height, built form of vertical emphasis and use of unsympathetic materials, would appear to be a dominant addition to the listed curtilage that would disrupt the visual harmony of dwelling houses on the Warren when perceived from the south. The harm would be less than substantial at a moderate to a low degree. While the contemporary design of the proposal could be argued to be beneficial, this would not outweigh the harm generated. As such, the proposed development would not meet the requirements of Policies EN1 and EN6 of the Reading Borough Local Plan, which aims to protect, conserve, and enhance the historic context, character and setting of heritage assets. I would be happy to see revisions.

Planning Officer Note: Changes were submitted by the applicant, but officers considered that the changes were too significant to be considered as part of the current application submission.

Relevant policies and legislation

From the point of view of the historic environment, the main statutory tests are set out within the Planning (Listed Buildings and Conservation Areas) Act 1990.

Sections 16(2) and 66 require that **special regard** [officer emphasis] be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

National Planning Policy and Guidance

The NPPF outlines government policy, including its policy in respect of the historic environment. Chapter 16 of the NPPF (2023) 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development.

Paragraph 200 states, *"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting."* And Paragraph 201 says, *"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."*

Paragraph 205 of the NPPF requires that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation....'* And paragraph 206 says, *'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification'.*

Paragraph 208 requires that *'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighted against the public benefits of the proposal...'*

The National Planning Practice Guidance on Historic Environment provides context to the NPPF.

Local Planning Policy and Guidance

Policy EN1 'Protection and enhancement of the historic environment' of the Reading Borough Local Plan sets out the Council's aspirations for the historic environment. The policy requires that all proposals to protect and, where possible, enhance the significance of heritage assets and *their settings*, historic character and local distinctiveness of the area in which they are located. It echoes the NPPF by stating, *"Proposals should seek to avoid harm in the first instance. Any harm to or loss of a heritage asset should require clear and convincing justification, usually in the form of public benefits"*.

Applications which affect *Listed Buildings* are expected not to have an adverse impact on the elements that contribute to their special architectural or historic interest, including their settings.

Policy EN6 'New development in a historic context' also requires *"New development will make a contribution to the historic character of the area by respecting and enhancing its architectural and visual qualities and considering how heritage considerations can influence the design of new development. When determining planning applications for new development, the following factors will be taken into consideration:*

- a. The positive contribution of the development to the existing historic townscape (scale, height, mass, proportion, plot size, street form, materials, significant vistas and views, and open space);*
- b. Sensitivity to historic context;*
- c. Reflection of borough-wide major heritage themes that contribute to local distinctiveness (e.g. patterned brickwork or former worker terraced housing);*

d. Whether development promotes and/or improves access to previously undiscovered or neglected historic significance.”

Other Guidance

Historic England Advice Note 2 – Making changes to Heritage Assets illustrates the application of policies set out in the NPPF in determining applications for Planning Permission and Listed Building Consent.

English Heritage’s “Conservation Principles” provides policy and guidance for the “sustainable management of the historic environment”.

Significance of heritage assets

The NPPF defines significance as the *“value of a heritage asset to this and future generations because of its heritage interest.”*

The interest may be architectural or historic, as set out in the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 Section 1.

“Significance derives not only from a heritage asset’s physical presence, but also from its setting.” (NPPF, 2023)

Historic England assesses significance in a similar manner, referring to evidential, historic, aesthetic and communal values of a place.

The application relates to the Grade II listed building, the Shanty, whose significance is summarised by the details of official listing entry as given below.

THE SHANTY

“1. 5128 SU 67 NE 14/595 THE WARREN The Shanty II

2. Circa 1905. Boathouse villa. 1 storey attic and basement. Gable end to river. Weatherboarded and thatched. Watergates with verandah over - rustic wooden posts with thatch over. Small gable Window above.

Listing NGR: SU6976175073”

I would like to emphasise that Grade II buildings are of special interest, warranting every effort to preserve them, and the subject building is a unique/surviving/rare example of a boathouse with a thatched roof to the north of the River Thames. Therefore, I disagree with the submitted heritage statement devaluing the significance of this listed building by comparing it to other buildings, which may constitute a different scale, architectural form and detailing but not ‘greater’ than the subject building. The building is preserved under the national Act, and it would not be fair to judge its significance in this way:



The Shanty is clad with painted timber boards under a thatched roof, and has simple painted timber windows and doors. Aside from the rustic timber front balcony railings and gable detail, it has no notable architectural features so would appear to have been listed due to its age and social/historic interest.

For comparison, the photographs show boathouses on the Thames that are of greater architectural interest:

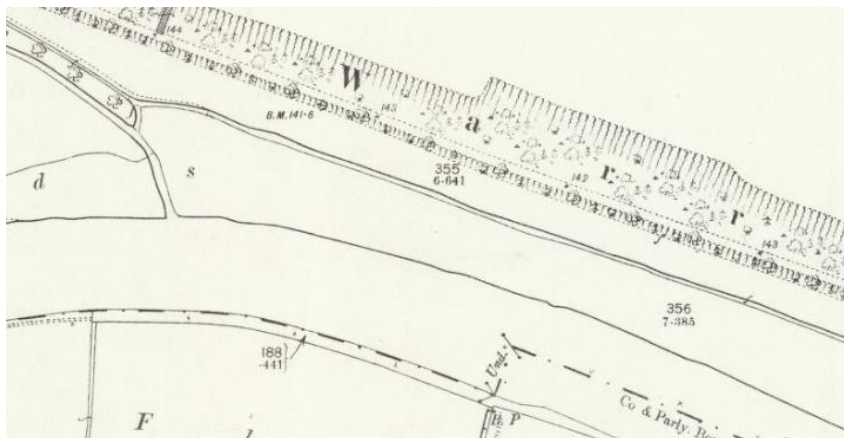


From the submitted Heritage Statement

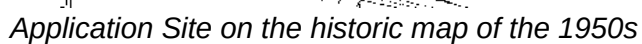
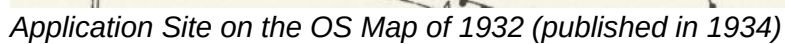
The Shanty, appears on the historic maps along with its listed curtilage since the beginning of 20th century while the existing modern dwelling was constructed

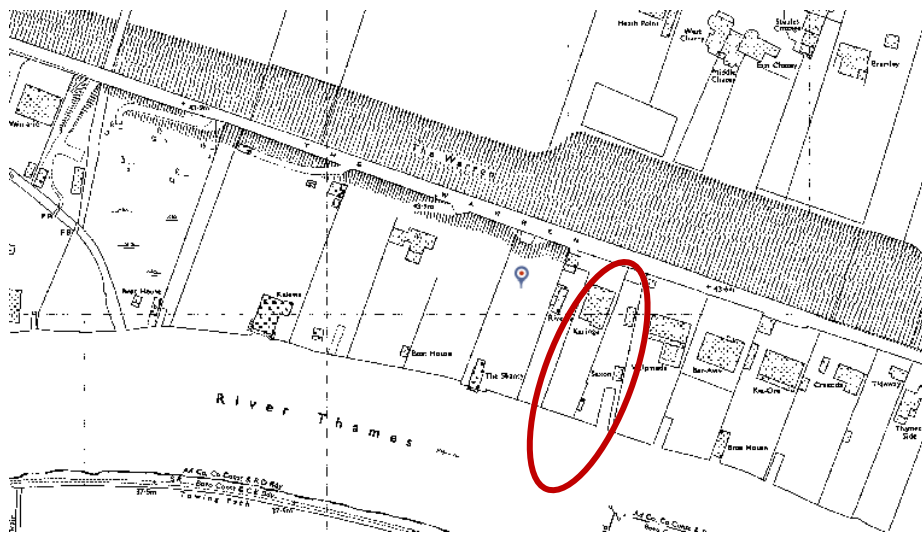
Impact of proposal upon heritage asset(s)

The listed boathouse and its curtilage appear on the OS maps dating from 1910 and 1932, and the Council's historic mapping tool shows the 1950s and 1970s when the subject unlisted dwelling was not built.



The OS Map of 1897 (published in 1899) the site was not developed





Application Site on the historic map of the 1970s



Aerial photographs of the site in 2002

Planning Officer Note – the boathouse is located under the yellow circle above on the 2002 aerial image and can be seen below as indicated by the purple star



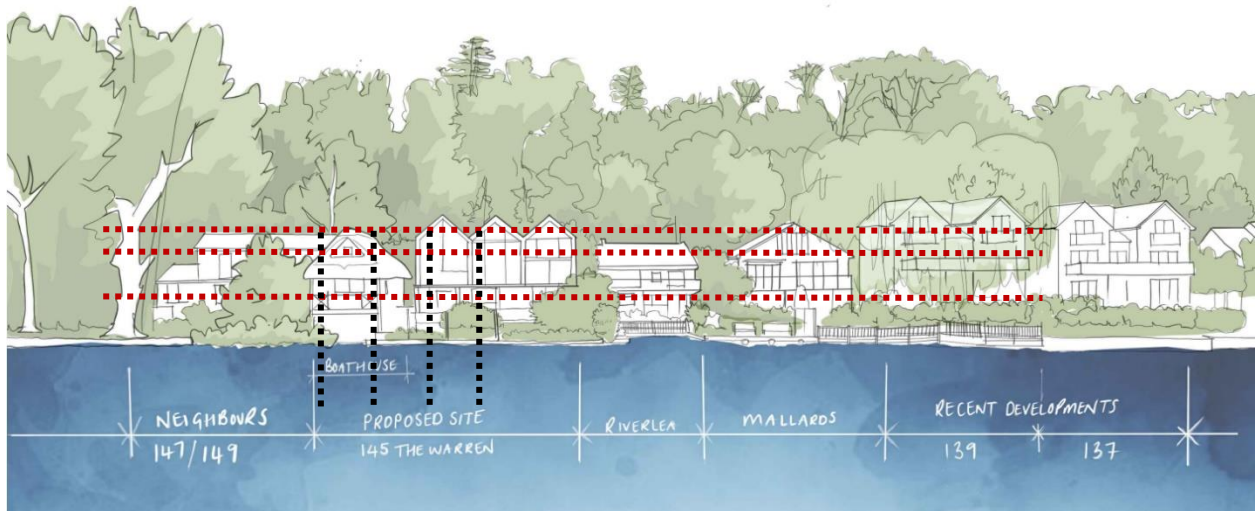
The existing dwellinghouse is constructed of red bricks under a pitched roof with concrete tiles. Due to its simple roof form and design with horizontal emphasis, it forms a background of modern housing, along with its neighbours of similar built form and architectural elements to the listed boathouse, as illustrated below.

The existing ridge level of the building also plays an important role, as it is lower than the listed building. Therefore, the listed boathouse stood out not only due to its position but also its noticeable features differentiated from the modern dwellings to the rear: It has a front-facing gable under the thatched roof, white/cream paint finish walls, which all come together harmoniously, and its natural look the boathouse blends within the River Thames.



Dotted lines above showing the consistency and character created by dwellings in the background of the listed boathouse, which all have lower ridge levels and horizontally emphasised façade organisations (drawn on the photograph from the Heritage Statement)

The proposed extensions and alterations radically change the built form and appearance of the dwellinghouse. Although the Council supports contemporary architecture, for this specific location, in the listed curtilage, I find it copying features of the boathouse without showing respect to it in terms of scale:



Dotted lines are drawn on the illustration from the submitted document of Planning Drawings

The proposed development would have a vertical emphasis by increasing the ridge height of the building (above to the listed building and its adjacent neighbours), three rear-facing/river-facing gables (and bays) competing with the gable of the listed boathouse (because of its being wider than the boathouse), and fenestration organisation with vertical use of rectangular shapes, as illustrated above.

The new look of the dwelling house would also include the use of many materials, including metal/metal effect standing seam roof, white painted brick, timber cladding, aluminium fascias, glass balustrades and black framed windows. That, again, could be perceived as an attempt to replicate or interpret the built form and colours of the boathouse on a larger scale building, which would be more dominant looking than the listed building itself.



Proposed Rear Elevation

Compared with the existing context of the boathouse and neighbouring properties, I conclude that the proposed development of the setting of the listed building would create more harm, even though the design is of high quality. The benefit is only for the applicant, so this harm would not be outweighed.

I would welcome and recommend some revisions to the design so that it does not surpass the listed boathouse while not being an alien feature within the character of the area.

Planning Officer Note: Due to the significant changes required, the agent asked for some informal feedback on a sketch jpg that did not form part of the current application.

RBC Natural Environment – No objections subject to conditions, the following observations were made: With reference to the DAS (no date or ref), to the Planning Drawings document and to the Full Arboricultural Method Statement – V1 dated June 2024 from Heritage Tree Services Ltd with associated Tree Protection Plan HTS-TPP-01A, I have the following comments:

The site is subject to TPO 90/07 which included 1 Lime tree in the rear garden. In September 2021, we were advised by Davis Tate (estate and letting agents) that the Lime had died. My email of 17/9/21 advised the following:

Under Section 206(1) of the Town and Country Planning Act 1990, a landowner is under a duty to replace a tree which is removed because it is dead or dangerous. The duty on the landowner is to plant another tree of an appropriate size and species at the same place as soon as he or she reasonably can.

*In this case the Council would expect a replacement Lime tree (*Tilia cordata* or *Tilia platyphyllos* – small leaved and big leaved Lime respectively) of a minimum 10-12cm girth and 3m high (stock size) to be planted in the rear garden in the planting season (Nov-March) following or at the time of felling, whichever is soonest. If the owner wishes to consider an alternative species, please ensure that this is agreed with the Council prior to purchase and planting.*

We have had no contact since then to confirm replanting and given no Lime is included in the Tree Survey, I assume this has not been done. This is, therefore, outstanding and overdue. The Lime can be included in landscape proposals but is required in any case and there is no need for replanting to be delayed for development purposes – the tree can be planted in the rear garden and will be protected during development by virtue of the TPP, and should be planted ASAP in the forthcoming planting season, i.e. November 2024.

The arb report confirms that 3 trees are to be removed for arboricultural reasons (T9, T13 & T15). From the photos in the report, I have no issues with the removals.

The proposed tree protection is acceptable hence condition L7A is required to secure this.

Replacement tree planting (minimum 3 + the TPO replacement) would be justified given the site's location on a 'treed corridor' (as defined in the Tree Strategy), within a Major Landscape Feature and bordered by two 'Areas of Biodiversity Interest' (river and Warren escarpment), which could be secured by condition L1.

In conclusion, I have no objections subject to condition L7a to secure compliance with Full Arboricultural Method Statement – V1 dated June 2024 from Heritage Tree Services Ltd with associated Tree Protection Plan HTS-TPP-01A and condition L1 to secure replacement tree planting.

Given the replacement tree planting (for the TPO tree) that is outstanding, please also include this (non-standard) Informative if approved:

'You are reminded that one outstanding replacement tree is required as a replacement for T1 Small Leaved Lime of TPO 90/07 which was felled in 2021. Replacement planting is overdue and should be implemented at the start of the 2024-2025 planting season. Any queries on this matter can be directed to: planning.naturalenvironment@reading.gov.uk'

RBC Transport - There are no Transport objections to this application as the proposed works do not change the existing on-site parking arrangements. The applicant has confirmed that no changes to the existing access arrangements are proposed.

RBC Ecology – had no objections subject to conditions and made the following observations:

The application site is a detached dwelling with garden and boathouse, on the Warren where it is proposed to make a number of significant extensions and alterations to the existing dwelling. The site is located on the banks of the River Thames (a priority habitat) and is surrounded by habitat of high potential for commuting and foraging bats including The Thames, large gardens lined with hedges and trees, woodland within The Warren Woodlands complex (a Local Wildlife Site) 30 metres to the north.

Protected Species

The Ecology report (Windrush Ecology, April 2024) has been undertaken to the appropriate standard and concluded that the proposals are unlikely to adversely affect priority habitats or protected species subject to the implementation of mitigation measures within the report. These mitigation measures include recommendations for clearance of any trees or shrubs outside of the bird nesting season and precautions for bats during building. The recommendations should be secured through a planning condition – wording is given below.

Lighting

Artificial light can negatively impact wildlife, especially when it illuminates a watercourse. The proposed development includes a significantly larger window area; however, these windows are situated over 20 meters from the river, likely minimizing their impact on the watercourse. Nonetheless, paragraph 191 of the NPPF stipulates that planning decisions should:

"limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation."

Therefore, it is recommended that a planning condition be imposed to ensure that no new lighting is installed without the prior written approval of the LPA. Suggested wording is provided below.

Conditions

Condition: No new exterior lighting is to be installed without the prior written permission of the local planning authority.

Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with paragraph 191 of the NPPF and EN11 and EN12 of the Local Plan

Condition: All trees, hedges and shrubs or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

Reason: To ensure that wildlife is not adversely affected by the proposed development in line with core strategy and wildlife legislation.

A site notice was displayed at the site for the required period and the following addresses were consulted by letter:

- East Chazey, West Chazey, Middle Chazey, Avenue House Lodge, Upper Warren Avenue
- 147-149, 149, Riverlea, The Warren

No letters of representation have been received.

RBC Environmental protection – Standing advice - Further information is required regarding the impact of noise from the proposed Air Source Heat Pump. A MCS noise assessment could be submitted to demonstrate that it meets the 42 dBA noise limit, <https://mcscertified.com/wp-content/uploads/2021/10/MCS-020.pdf>.

If the unit does not meet the above then a full noise assessment is required which demonstrates that the impact on the dwelling and neighbouring properties is acceptable. The full assessment requirements are detailed below.

The assessment shall be carried out in accordance with BS4142:2014+A1:2019 methodology. The predicted specific sound level (LAeq,TR) (with reference to BS:4142) as measured at a point 1 metre external to the nearest noise-sensitive facade shall be at least 10dB below the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The predicted rating level, LAr,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre external to the nearest noise-sensitive facade (habitable window of a dwelling) shall not exceed the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation.

Our planning policy states for proposed new plant:

The noise source specific noise level (plant noise level) should be at least 10dBA below the existing background level as measured at the nearest noise sensitive receptor and the rating level should not exceed the background level (as measured in accordance with BS4142:2014 A 2019).

Communications with the agent

No heritage statement was submitted, which was required due to the identification of The Shanty Grade II listed boathouse at the site visit. The application was made invalid until the Heritage Statement was submitted. The agent was given the opportunity to withdraw the application due to the level of changes required to address concerns regarding the impact of the extension on the grade II listed building within the public realm from the rear of the site. The applicant provided an alternative informal jpg sketch for consideration and asked for revisions to be considered. Although the Conservation officer was willing to review an amended scheme for the site, the case officer considered the revisions required were beyond the scope of the current application and a new application would be required to address all of the issues raised. The assessment below is based on the original plans as submitted. The agent did not want to withdraw the application and requested that it be determined.

Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

5. LEGAL AND PLANNING POLICY CONTEXT

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.

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.

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). The Local Plan is currently under review with a partial update under consideration. Many of the policies remain relevant, with a number of policies in need of update, policies listed are relevant existing policies with a moderate level of weight. Existing policies can be referred to in conjunction with the NPPF, with reference to the emerging policy particularly in reference to policy CC7 <https://www.reading.gov.uk/planning-and-building-control/planning-policy/new-local-plan/local-plan-partial-update/>

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

National Policy and Guidance

National Planning Policy Framework 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)

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
- EN5 Protection of Significant Views with Heritage Interest
- EN6 New Development in a Historic Context
- 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
- H10 Private and Communal Outdoor Space
- TR1 Achieving the Transport Strategy
- TR3 Access, Traffic and Highway-Related Matters
- TR5 Car and Cycle Parking and Electric Vehicle Charging

Supplementary Planning Documents

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

Other relevant guidance

Reading Borough Council Tree Strategy (March 2021)

Reading Biodiversity Action Plan (March 2021)

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

Assessment of significant views with Heritage interest

Other Guidance

Historic England Advice Note 2 – Making changes to Heritage Assets illustrates the application of policies set out in the NPPF in determining applications for Planning Permission and Listed Building Consent.

English Heritage’s “Conservation Principles” provides policy and guidance for the “sustainable management of the historic environment”.

6. APPRAISAL

The main considerations are:

- Land use principles
- Flood Risk
- Design and Impacts on Character and Appearance of the area, Major Landscape Feature and Heritage Asset
- Amenity
- Trees and landscaping
- Ecology
- Transport
- Archaeology
- Sustainable Urban Drainage
- Sustainability and energy
- Planning Balance

Each element is, therefore, considered below.

Land use principles

There is no objection in principle to an extension to the existing dwelling at The Shanty 145 The Warren, however, any proposal should complement the existing house and retain the character of the grade II listed boathouse, without dominating the view of the site at the rear and should satisfy the following materials considerations.

Flood Risk

Policy EN18 states ‘Development will be directed to areas at lowest risk of flooding in the first instance, following the Sequential and Exceptions Test set out in the NPPF, and taking into account the effects of climate change. It will consider flooding from all sources, including fluvial, surface water, groundwater and sewer flooding. Where development in areas at risk of flooding is necessary, it will not reduce the capacity of the flood plain to store floodwater, impede the flow of floodwater or in any way increase the risks to life and property arising from flooding. Wherever possible, development should be designed to reduce flood risk, both on- and off-site.’

The site is located within flood zone 3b, the functional flood plain, this is shown on Reading Council flood maps and was acknowledged by the appeal inspector in his PP/E0345/D/16/3163447 appeal report, ‘The lower part of the site, including much of the footprint of the house, is situated in Flood Zone 3b, the functional flood plain of the Thames, where flooding is to be expected from time to time. Flood risk from

this main river needs careful consideration.’ However, the submitted FRA states that the development lies in flood zone 2.

The Reading Borough Council Strategic Flood Risk Assessment (SFRA) by PBA Ref 27560/4002 (June 2017), provides more detailed guidance in respect of Flood Zone 3b within Reading Borough. 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”. Therefore, this proposal has been assessed as within Flood Zone 3a.

The proposal is classed as a minor extension in the terms of the NPPF, which states in Paragraph 174 that *“Applications for some minor development and changes of use⁶⁰ should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 59.”*

Footnote 59 of the NPPF 2023 states *‘A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3.’*

Footnote 60 of the NPPF 2023 states *‘This includes householder development, small non-residential extensions (with a footprint of less than 250m²) and changes of use; except for changes of use to a caravan, camping or chalet site, or to a mobile home or park home site, where the sequential and exception tests should be applied as appropriate.’*

The NPPF states that extensions and minor development may be considered acceptable where it can be demonstrated that no increase in flood risk would result by not affecting floodplain storage or flow routes and should not increase risk elsewhere. The National Planning Policy Guidance ‘Preparing a Flood Risk Assessment: Standing Advice’ requires proposals for minor extensions to include measures including raising floor levels, extra flood and resilience measures to prioritise excluding flood water where possible and to speed recovery in case water gets in. Floor levels are recommended to be at least 600mm above estimated flood level and flood resistant materials should be used up to at least 600mm above flood level, however floor levels may be able to be reduced to 300mm if there is a high level of certainty about the estimated flood level.

The submitted FRA states *‘The development will reduce the impermeable area by 9m² and will increase the built up area by 31m².’* And that any impact to local flood risk would be negligible. The FRA also states that the development will increase flood storage by approximately 6m³ (due to the addition of a new pillar, mitigated by the removal of 2 garden planters) during the 1% AEP +35% CC. It also states that *‘During all modelled events, the proposed development remains dry. In the 5% AEP, the site floods to a depth of up to 1.09m to a level of 38.06mAOD. In the 1% AEP+35%CC, the site floods to a maximum depth of 2.13m to a level of 39.12mAOD; this level reaches 39.21mAOD in the 0.1% AEP.’*

The proposal includes for a finished floor level of 40.50m, which would be above the modelled flood levels, as stated above. Flood risk mitigation measures are proposed for the construction of the extension as stated in para 15.2.3 of the FRA regarding floor construction, wall construction, doors and underground drainage as well as flood resilient features for electric sockets, utility services and pipes and vent openings.

The site ranges from approx. 37.35m AOD at the end of the garden, rising to approx. 43.55AOD to the north of the site, whilst the proposed development ground level is approx. 39.85mAOD, with a 0.6m

elevation range for the area of proposed extension. Floor levels are proposed to be raised 300mm above approximate ground level as the FRA states that 'during all modelled events the proposed extension remained dry'.

It is considered that the flood risk assessment demonstrates that the proposal would have a negligible impact in terms of an increased risk of flooding and would accord with, Policy EN18, the NPPG and NPPF 2023. Had the scheme been acceptable overall a condition would have been included to secure the mitigation measures as set out above.

Impacts on Character and Appearance of the area, major landscape feature and Heritage Asset

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

Policy EN1 requires historic features and areas of historic importance, including their settings to be protected and where possible enhanced.

Policy EN5 requires that 'New development should not harm and where possible should make a positive contribution to views of acknowledged historical significance. The following views merit special protection:

1. View from McIlroy Park towards Chazey Barn Farm, the Thames Meadow and the Chilterns escarpment'

Policy EN6 requires that 'in areas characterised by heritage assets, the historic environment will inform and shape new development. New development will make a contribution to the historic character of the area by respecting and enhancing its architectural and visual qualities and considering how heritage considerations can influence the design of new development.'

Policy EN11 (Waterspaces) states that Reading's waterspaces will be protected and enhanced...and that there will be no adverse impact on the functions and setting of any watercourse and its associated character.

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

The NPPF states:

12. Achieving well-designed places - para 135 c states that Planning policies and decisions should ensure that developments b) are visually attractive c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); or f) do not undermine the quality of life.

15. Conserving and enhancing the natural environment- para 180 states that Planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing values landscapes and recognising the intrinsic character and beauty of the countryside.

16. Conserving and enhancing the historic environment – para 201 states that the significance of a heritage asset should be assessed. Para 208 requires the potential harm of less than substantial harm to be weighed against the public benefits of the proposal.

The existing dwelling is located in a prominent position, with a lesser impact on views from The Warren, moreover with a greater emphasis when viewed from the river and from the footpath across the riverbank. It is, therefore, important to consider the proposed plans and design, with specific consideration of the siting of the plot to assess the impact on the character and appearance of the wider area, the Major Landscape Feature and its impact on the Heritage asset.

As has been acknowledged by previous Planning Inspectors (see planning history above) the existing property is tired in appearance. The Planning Inspector for application 160802 considered that whilst contemporary extensions were acceptable in principle, the extended house proposed appeared cluttered with a disharmonious design that would not resolve into a coherent whole. It was considered to stand out unattractively from the other more modest houses in this row when seen in views from the Warren, the river and the other side of the river.

Although the current proposal is different from the previous refused scheme it has similarities in scale and officers consider that the proposal would still result in a design that would be out of keeping with the more modest houses in the row particularly when viewed from the river and the other side of the river, and particularly given the relationship of the existing dwelling with the grade II listed boathouse. The current scheme has overcome previous concerns relating to a front garage previously proposed, however the revised scheme results in material concerns regarding the design of the rear elevation and its impact on the local vicinity.

The majority of houses on the south side of the Warren, have their principal elevation fronting towards the River Thames to the south. The focus of the Major Landscape Feature in this location is the river and so given this, the important views are from the Thames and the Thames path on the south side of the river looking north.

The Design and Access Statement states that the design is similar to 139 Tresillian and 137 Reve House The Warren (under refs: 09/00710 and 09/00709) however, these are not considered directly comparable because there are no listed buildings within the curtilage of 137 or 139 The Warren and the proposed scheme includes gable features with no relief to the rear elevation form.

The proposed design at the rear is taller in height than the neighbouring properties at 147 and 149 and Riverlea respectively, with a top heavy design with a greater visual impact and vertical emphasis that results in a prominent feature to the rear of the dwelling. Although the view of the proposed front elevation from The Warren is considered acceptable, the rear elevation comprising the 3 gabled roofline is considered too high, and dominant when compared with the ridge levels of its neighbouring houses at 147 and 'Riverlea'. The current rear roof ridge line of houses does not rise significantly above the boathouse when viewed from the rear, but the proposal would dominate the view from the public realm across the river Thames.

The site is located within a Major Landscape Feature (MLF) and is very visible from the River Thames and the Thames valley. It is considered that the proposed extension would be too high in scale and would stand out unattractively and out of context within its plot and would, therefore, have a detrimental effect on the character and appearance of the MLF. The view from the MLF would be materially harmed by the replacement with a visually dominant design that would draw focus from its surroundings and in particular the historic boathouse..

The Shanty boathouse should be accorded significant weight as a valuable heritage asset and being of 'special interest'. The Conservation Officer describes the important position of the boathouse and its appearance as *"a front-facing gable under the thatched roof, white/cream paint finish walls, which all come together harmoniously, and its natural look the boathouse blends within the River Thames"*. Therefore, it is considered that the significance of the listed boathouse and its setting would also be detrimentally affected as, 'the proposed development by reason of its height, built form of vertical emphasis and use of unsympathetic materials, would appear to be, as stated by the Conservation Officer 'a dominant addition to the listed curtilage that would disrupt the visual harmony of dwelling houses on the Warren when perceived from the south' and would result in harm to the views towards this listed boathouse from the public realm of the riverside, which is an important riverside feature and a significant vista. This compares

to the dwelling as existing where the ridge is subservient to the Shanty boathouse, without appearing dominant when viewed from the rear elevation

In summary the proposed development in the setting of the listed building would result in harm that would not outweigh the benefits of improved living accommodation for the future occupants. The resultant harm would be less than substantial at a moderate to a low degree. As such the proposed design is considered contrary to policy EN1, EN6, and paras 205 and 208 of the NPPF. It is considered that changes required to make the scheme acceptable would need to be extensive, and therefore, in terms of design and scale the application has been assessed by the case officer based on the plans as submitted.

Google photo of the rear of The Shanty



Had the scheme been acceptable overall then further details would have been required of the materials to ensure that a high-quality appearance would be attained and to evidence the quality of the proposed build. This would have been dealt with by a pre-commencement condition.

The site is located within the view splay that relates to view 1 (view from McIlroy Park towards Chazey Barn Farm, the Thames Meadow and the Chilterns escarpment) as identified in policy EN5. It merits special protection from harmful new development. It is considered that the proposed extension would not harm the visual view from McIlroy Park due to the distances involved and vegetation screening. No assessment of the impact of View 1 was included in the heritage statement, but has been assessed by the case officer

Assessment of significant Views with Heritage interest



Figure 1.2 Centre left hand view, glimpses of the Thames, Grade 1 listed Chazey Barn and the Caversham escarpment

Amenity

Policy CC8 states that development should not cause a detrimental impact on the living environment of existing residential properties in terms of privacy and overlooking, visual dominance and overbearing effects of a development and harm to outlook.

The neighbouring properties potentially affected by the proposals are 'Riverlea' and 147 The Warren, located to the south east and north west of the site respectively.

The distance is retained between neighbouring boundaries, with a double vaulted window to the rear that would appear overbearing in scale when viewed from the neighbouring gardens.

The appeal inspector APP/E0345/D/16/3163447 stated in respect of application 160802 *'All 3 houses already have terraces at first floor level, overlooking each other and each other's gardens. The proposed re-plan of the first floor terrace at The Shanty would not change this situation substantively. There would be some minor additional overlooking of Riverlea's rear terrace, but this could be controlled by a requirement for a strategically positioned side screen.'*

APP/E0345/D/16/3163447

Existing main rear terraces.(3d visuals shoot 1) and plan Proposed elevations sheet 1 3346 205.



The current proposal, however, also incorporates an additional balcony at second floor level (marked with a red arrow below), which provides new and expanded opportunities for overlooking and resultant loss of privacy, particularly for 'Riverlea'. It is not considered that the proposed side screen of the terrace would significantly reduce overlooking whilst the upper terrace is in use.

Existing and proposed rear elevations



The impact of the second floor balcony on 'Riverlea' is, therefore, considered unacceptable despite existing resultant overlooking from each of the houses, and would introduce an additional level of overlooking and unneighbourly loss of privacy, which is different to the refused and appealed scheme.

It is noted that at first floor level the window is located further away from the neighbouring boundary than the second floor balcony and, with the use of vertical timber cladding, would reduce overlooking towards 'Riverlea' which is considered acceptable.

From an amenity perspective the double height rear windows would increase the scale of glazing and would give a greater perception of being overlooked, however, it is not considered that this would be so significant as to warrant refusal on this basis.

Had the scheme been acceptable overall a condition would have been included to remove permitted development rights, preventing further later additions without the specific grant of permission by the local planning authority, to ensure that the impact on nearby occupiers would be controlled.

ASHPs and PV solar panels are referred to in the Design and access statement submitted but no additional information has been provided. Insufficient information has been provided, with respect to noise, however, had the scheme been acceptable overall further details of the technical specifications of the ASHP would have been required. This could have been dealt with by way of a suitably worded condition to satisfactorily demonstrate that the noise from the ASHP would meet required standards.

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 have been secured via condition had permission been granted, including the requirement for the submission and approval of a demolition and construction method statement.

Trees and landscaping

Policy EN 14 states 'Individual trees, groups of trees, hedges and woodlands will be protected from damage or removal where they are of importance, and Reading's vegetation cover will be extended. The quality of waterside vegetation will be maintained or enhanced. New development shall make provision for tree retention and planting within the application site.'

As per the observations provided at section 4 above, RBC Natural Environment has no objection to the proposals, but this would have been subject to conditions in the event that permission had been granted.

Ecology

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

As per the observations provided in section 4 above RBC consultant ecologists have no objection to the proposals. This would have been subject to conditions had the scheme been acceptable overall.

The proposed development is considered de minimis and exempt in respect of BNG.

Transport

Policy TR3 states 'Development will only be permitted where:- i) Accesses and works to the highway comply with the adopted standards of the Transport Authority; ii) The development would not have a material detrimental impact on the functioning of the transport network'.

Policy TR5 states 'Development should provide car parking and cycle parking that is appropriate to the accessibility of locations within the Borough to sustainable transport facilities, particularly public transport.'

As per the observations provided at section 4 above, RBC Transport has no objection to the proposals subject to a series of conditions being secured had permission been granted.

Sustainability and Energy

Policy CC2 states 'Proposals for new development, including the construction of new buildings and the redevelopment and refurbishment of existing building stock, will be acceptable where the design of buildings and site layouts use energy, water, minerals, materials and other natural resources appropriately, efficiently and with care and take account of the effects of climate change.'

Policy CC3 states 'All developments will demonstrate how they have been designed to incorporate measures to adapt to climate change.'

In line with the Sustainable Design and Construction SPD checklist, the proposal is supported by a brief sustainability statement, which includes details of proposed ASHP and PV panels, thereby utilising renewable technologies. This is generally satisfactory and would accord with the relevant policies. However, additional information would have been required to be secured by condition.

CONCLUSION

In terms of the planning balance, it is acknowledged that there are benefits to the proposed extension of the house for the benefit of the occupants and welcomed sustainability and energy credentials of the proposal. There are some other matters where the proposals are acceptable subject to more details being secured via condition, as referenced in the assessment above, including parking and access and landscaping. However, when considering the application on its own merits there are considered to be a number of significant shortfalls including the increase in height, scale and design of the rear elevation, resultant harm to views of the rear extension when viewed from the public realm and the Major Landscape Feature, harm caused to the setting of the Grade II listed boathouse, in the garden of 145 The Warren, and on the historic vista, and an increase in overlooking towards 'Riverlea'.

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 and the concerns are so significant so as to weigh against the proposals when considering all relevant national and local planning policies and other material considerations. Therefore, full planning permission is recommended to be refused.

RECOMMENDATION

Refuse Planning Permission

Reasons for refusal

1. The proposal would, by reason of its design, scale and increased height, result in a visually dominant and prominent feature that would be an uncharacteristic addition to the rear of the dwelling. It would appear incongruous particularly when viewed from the public realm on the opposite side of the riverbank and would be intrusive within the riverside setting and the Major Landscape Feature. It would, therefore, not maintain and enhance the character and appearance of the dwelling or the area, would not protect and enhance the Waterspaces and would detract from the character and appearance of the Major Landscape Feature. The proposal is, therefore, contrary to Policies CC7 (Design and Public Realm), EN11 (Waterspaces), and EN13 (Major Landscape Features and Areas of Outstanding Natural Beauty) of the Reading Borough Local Plan (2019) and the National Planning Policy Framework 2023 paragraphs 135 and 180.
2. The proposal when viewed from the rear would, by reason of its design, height, increase in scale, massing and proposed materials, result in harm to the setting and historic character of the Grade II listed boathouse, and it would cause harm to the views from the public realm. The proposal would, therefore, fail to preserve or enhance the setting of the historic boathouse, and would cause harm to the significance of this heritage asset, contrary to Policies EN1 (Protection and Enhancement of the Historic Environment) and EN6 (New Development in a Historic Context) of the Reading Borough Local Plan (2019) and the National Planning Policy Framework 2023 paragraphs 201 and 208.
3. The additional proposed rear second floor terrace would result in extended levels of overlooking, unacceptably impacting on the reasonable privacy of the neighbouring

properties at 147 and 'Riverlea'. This would be contrary to Policy CC8 (Safeguarding Amenity) of the Reading Borough Local Plan (2019) and para 135 of the NPPF 2023.

Informatives:

Refused plans

P&P