

DELEGATED APPLICATION REPORT

Ward: Park Ward

App Ref: PL/24/1249 Householder planning permission

Address: 85 HAMILTON ROAD, READING, RG1 5RB

Proposal: Part basement, part single storey, part 2 storey rear extension, removal of rear dormer and changes to fenestration (amended)

Applicant: Dr Ksenia Warren

Received date: 23/09/2024

Target Decision date: 15/1/2025 (ext)

Case Officer: Alison Amoah

1. SITE DESCRIPTION

This is a two storey, plus basement, Victorian detached house, brick built, set back from the road with a front garden with low brick wall and original railings above. To the side is a driveway and single detached garage, set well back from the road. There is an existing single storey extension to the rear providing a utility room. There is a good sized rear garden which slopes away from the rear of the house with a basement to the north-eastern side. Hamilton Road slopes down from south-east to north-west. The property has hipped and pitched slate roof, large chimneys and sash windows and is brick built.

The property is within the South Park Conservation Area and is defined as a Building of Townscape Merit (BTM). It is described with the Conservation Area Appraisal as: *"Gabled slate roof. Bracketed eaves. Bath stone mouldings around windows and string courses. Ornate stone-clad porch."* There are listed buildings within the CA, but these are not close to the application property.

The overall area comprises linear urban form with large semi and detached properties mainly of 2-2.5 storeys from the mid-late Victorian and Edwardian era. There are good set-backs to the road with boundary treatments with railings and fences and there is a verdant character. Predominantly materials comprise brick, stonework, tile hanging and render and slate roofs. Roofs include hipped, pitched and gables. There are typically large chimneys and sash windows.

Existing Block Plan



Google Earth Aerial image



Front



Rear



2. PROPOSAL AND SUPPORTING INFORMATION

The proposal is for the following:

- Demolition of existing single storey rear extension.
- Basement extension to create laundry, pantry, utility and larder.
- Rear single storey extension 4.72m deep by 10.53 m wide (full width).
- First floor extension 4.72m deep by 6.4m wide.
- Steps to rear.
- New ground and first floor window facing 83 Hamilton Road and two new ground floor windows facing no. 87a.

Plans and other information considered

As received 23rd September 2024, unless otherwise stated:

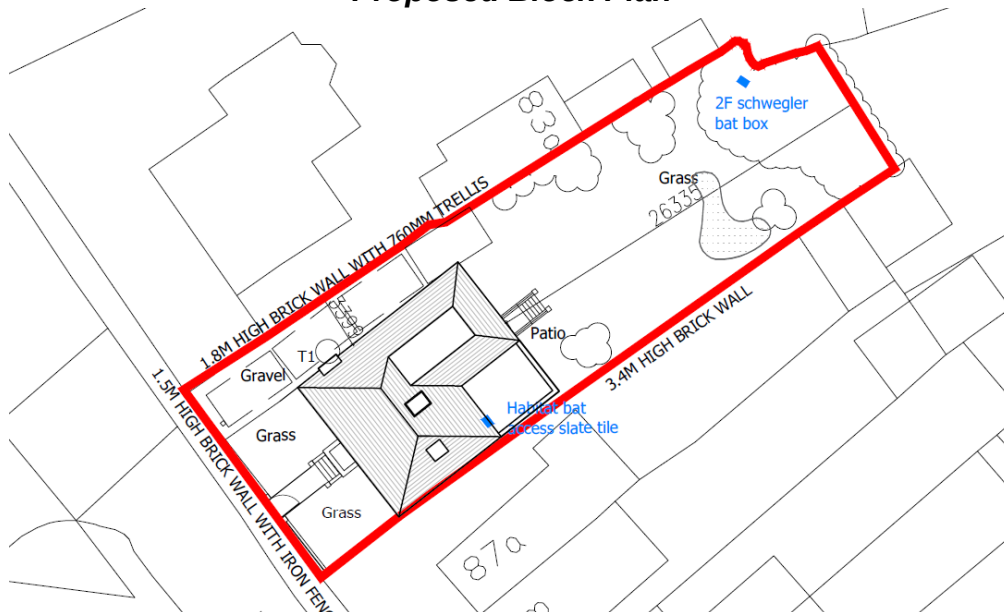
Plans

- Drawing no: A4/345/OS1, dated March 2023 – Site Location Plan
- Drawing no: A4/345/10, dated March 2023 – Existing Block Plan
- Drawing no: A1/345/01, dated October 2021 – Details of Existing Floor Plans Basement & Ground Floor
- Drawing no: A1/345/02, dated March 2023 – Details of Existing Floor Plans First & Second Floor Existing Block Plan
- Drawing no: A1/345/03, dated October 2021 – Details of Existing Elevations
- Drawing no: A1/345/04 Rev C, dated March 2023 – Details of Proposed Floor Plans Basement & Ground Floor
- Drawing no: A1/345/05 Rev D, dated March 2023 – Details of Proposed Floor Plans First & Second Floor
- Drawing no: A1/345/06 Rev F, dated March 2023 – Details of Proposed Elevations, received 13th November 2024 – *amended plan*
- Drawing no: A4/345/11 Rev A, dated March 2023 – Proposed Block Plan

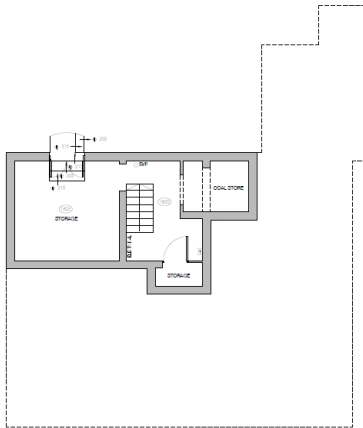
Other supporting documents

- Internal Photos
- Letter from Applicant
- Design and Access, Planning and Heritage Statement, dated September 2024, prepared by Jet Arch Design
- Preliminary Roost Assessment, dated 12/8/24 prepared by Arbtech
- Bat Emergence and Re-entry Surveys, Rev 2 dated 27/5/22, prepared by Arbtech

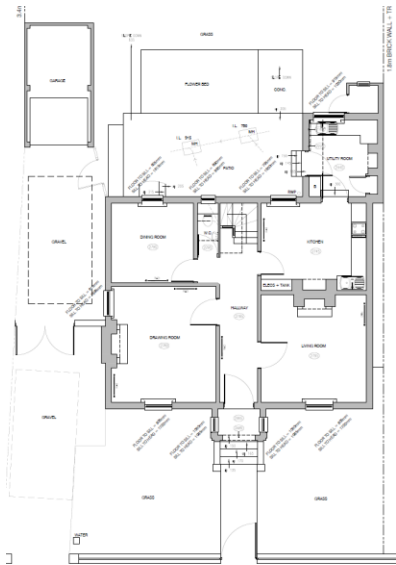
Proposed Block Plan



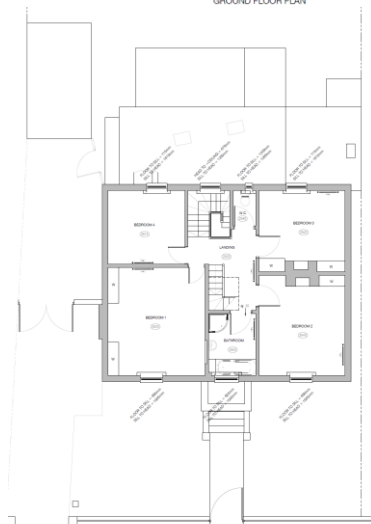
Existing Floor Plans & Elevations



BASEMENT PLAN

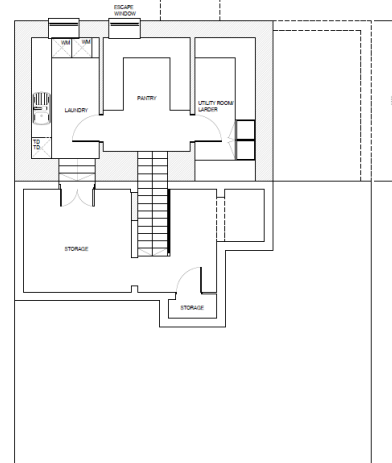


GROUND FLOOR PLAN

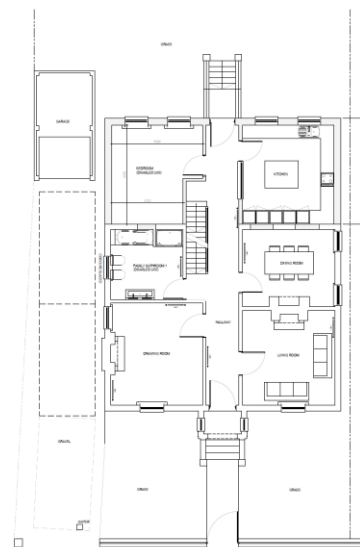


FIRST FLOOR PLAN

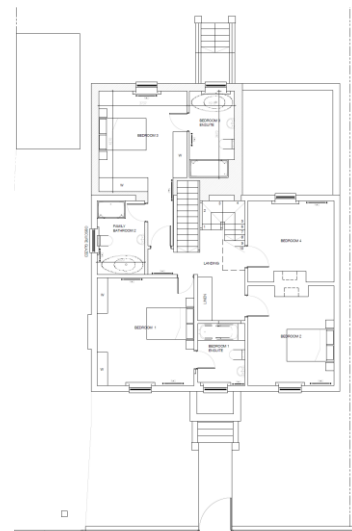
Proposed Floor Plans & Elevations



BASEMENT PLAN
SCALE 1:50



GROUND FLOOR PLAN
SCALE 1:50





No change proposed to front boundary

3. RELEVANT PLANNING HISTORY

211981/FUL - Demolition of existing garage and replacement with new single garage. 3 storey rear extension with basement extension following demolition of rear outhouse extension. Removal of single pier to front boundary and insertion of new ironwork gate – Refused 12/5/2022 for the following reasons:

1. By virtue of its excessive width and depth, the rear extension would have an over-scaled appearance disproportionate, and not subservient, to the original dwelling. The resultant extension would cause significant detrimental harm to the character and appearance of the original dwelling and the wider Conservation Area. The proposal is therefore of poor design which is contrary to Policies CC7, EN1, EN3, EN6 and H9 of the Reading Borough Local Plan (2019) and the Design Guide to House Extensions SPD (2021).

2. By virtue of their proximity to sideward boundaries, significant overlooking/perception of overlooking would occur to 83 and 87a Hamilton Road from the proposed first floor sideward windows. This would cause a significant detrimental impact to the residential amenities of the occupants of 83 and 87a Hamilton Road in terms of loss of privacy through overlooking. The proposal is therefore contrary to Policy CC8 of the Reading Borough Local Plan (2019) and the Design Guide to House Extensions SPD (2021).

The refused elevations are as follows:



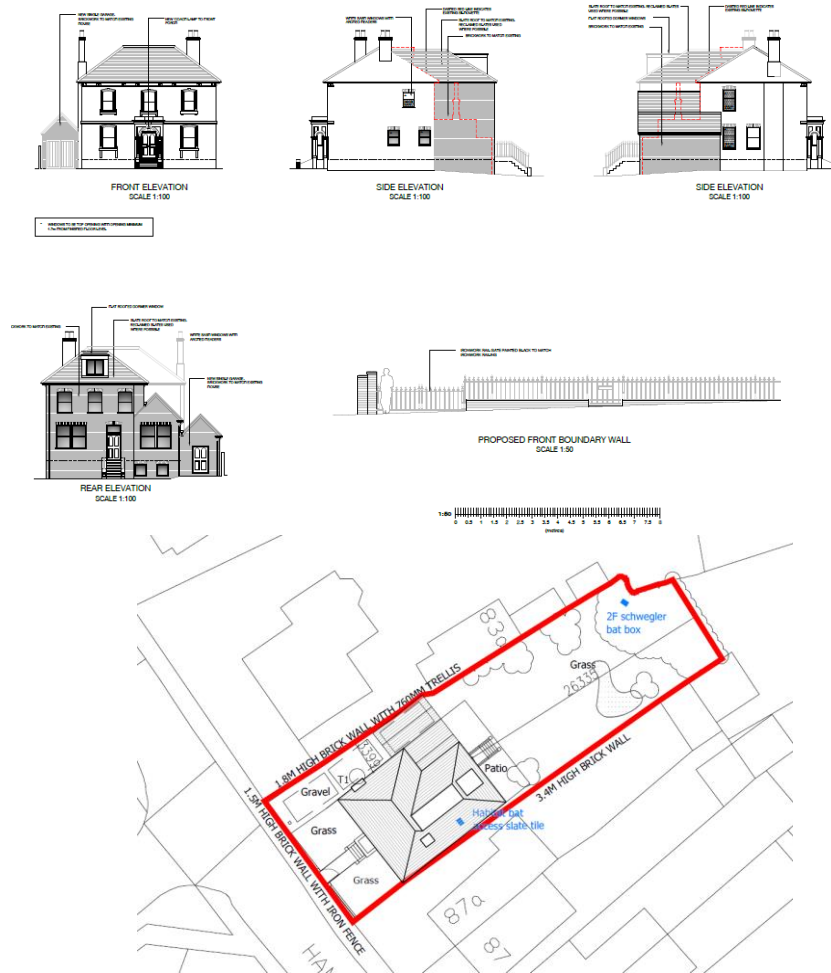
221630/FUL - Demolition of existing garage and replacement with new single garage. 3 storey rear extension with basement extension following demolition of rear outhouse extension. Removal of single pier to front boundary and insertion of new ironwork gate – Withdrawn 26/1/2023.

230375/HOU - Demolition of existing garage and replacement with new single garage. Part single storey extension excluding basement, part 2.5 storey extension excluding basement following demolition of existing rear outhouse extension. Removal of single pier to front boundary and insertion of new ironwork gate, and associated changes to fenestration – Refused 17/5/2023 and dismissed at appeal 13/2/2024 ref: APP/E0345/D/23/3327206. The reasons for refusal were:

1. By virtue of its excessive depth and discordant appearance, the rear extension would have an over-scaled appearance, disproportionate, and not subservient, to the original dwelling. The resultant extension would cause significant detrimental harm to the character and appearance of the original dwelling and the wider Conservation Area. The proposal is therefore of poor design which is contrary to Policies CC7, EN1, EN3, EN4, EN6 and H9 of the Reading Borough Local Plan (2019) and the Design Guide to House Extensions SPD (March 2021)

2. The proposed positioning of the gates would have an adverse effect on road safety and the flow of traffic as this could result in the vehicles waiting in the carriageway to enter the site while waiting for the gates to open. The proposal is therefore contrary to Policy TR3 of the Reading Borough Local Plan (2019).

The refused elevations and block plan are as follows:



240128/PREAPP – Pre-Application advice for two storey rear extension with part - subterranean basement and new rear dormer. Observations sent 29/2/24.

4. CONSULTATIONS

The following were consulted:

The following addresses were consulted by letter:

Flats 1-10 83, The Coach House 83, 83a, 85, 87, 87a, 90b Hamilton Road

Letters of representation have been received from 83, and 87A Hamilton Road. The summary of comments/ objections is as follows:

- Overlooking and loss of privacy to no. 87A from proposed side facing windows to front door and ground floor bedroom; suggest changing the internal layout.
- Noise nuisance from windows facing no. 87A.
- Windows should not open over onto 87A space.

- Proximity of proposed kitchen to the boundary with no. 87A and potential issues of subsidence. Party wall Surveyor will be required to assess plan and risks, and any safeguards required.
- Developing the rear of the property will make 87A back garden more overlooked; reluctant to lose privacy in the garden.
- Care will be required with proposed works near to the houses to ensure that the ground remains supported to mitigate risks to the buildings.
- Seek confirmation that 85 will use separate sewage and drainage systems from those used by 87 & 87A.
- Roof/terrace access above the proposed kitchen needs to be prohibited as it would afford direct view into 87A kitchen Velux window.
- No. 83 has multiple tenants with bedrooms and bathrooms facing no. 85. If windows are included facing no. 83 care should be taken to ensure privacy concerns are addressed.
- Proposal is better than previous submissions and looks in keeping with current building.
- Care needs to be taken in construction of the replacement garage to not cause possible ground movement, so as to avoid any possible subsidence to the Coach House.
- There are existing issues with vegetation causing destruction of the Coach House.
- Loss of privacy to no. 83 from side facing windows; suggest a roof window to the proposed first floor bathroom.

RBC - Ecology – no objection subject to conditions.

RBC Conservation Officer – No objection.

5. LEGAL AND PLANNING POLICY CONTEXT

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

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

National Policy

National Planning Policy Framework (Dec 2024)

Reading Borough Local Plan (2019)

Policy CC1 - Presumption in Favour of Sustainable Development

Policy CC7 - Design and the Public Realm

Policy CC8 - Safeguarding Amenity

Policy H9 - House Extensions and Ancillary Accommodation

Policy H10 - Private and Communal Outdoor Space

Policy EN1 - Protection and Enhancement of the Historic Environment

Policy EN3 - Enhancement of Conservation Areas

Policy EN6 - New Development in a Historic Context

Policy EN12 - Biodiversity and the Green Network

SPD

Design Guide to House Extensions (2021)

South Park Conservation Area Appraisal (2008)

Local Plan Update

The current version of the Local Plan (adopted in November 2019) turned five years old on Tuesday 5th November 2024. The Local Plan was reviewed in March 2023 and around half of the policies in the plan are considered still up to date. However, the rest need to be considered for updating to reflect changing circumstances and national policy. A consultation version of the draft updated version of the Local Plan was published on 6th November 2024.

Although there is a five-year period for carrying out a review of a plan after it is adopted, nothing in the NPPF or elsewhere says that policies automatically become “out of date” when they are five years old. It is a matter of planning judgement rather than legal fact whether a plan or policies within it are out-of-date. This will depend on whether they have been overtaken by things that have happened since the plan was adopted, either on the ground or through changes in national policy, for example.

Officer advice in respect of the Local Plan policies pertinent to this application listed above is that they remain in accordance with national policy. Of those listed above Policies CC7 and EN12 are proposed for amendment, but the objectives of those policies remain very similar in the draft updated Local Plan, and at present, due to the status of the emerging Local Plan have limited weight in decision making. The current policies can continue to be afforded weight in the appraisal below and are not considered to be ‘out of date’.

6. APPRAISAL

The relevant matters are as follows:

- a) Design and Impact on Heritage Asset and Historic Environment
- b) Impact on Residential Amenity
- c) Ecology Matters

a) Design and Impact on Heritage Asset and Historic Environment

The proposal is considered both against local policies in relation to house extensions and conservation of historic buildings. Policy H9 states that an extension to a house will be acceptable where it respects the character of the house in terms of scale, location, materials and design and respects the character and pattern of neighbouring properties and the street as a whole in terms of scale, location, materials and design, and any important existing building line. Policy CC7 also sets out relevant considerations for design.

Policy EN1 states *“Historic features, areas of historic importance and other elements of the historic environment, including their settings will be protected and where possible enhanced.”* This includes Conservation Areas. It goes on to state that *“All proposals will be expected to protect and where possible enhance the significance of heritage assets and their settings, the historic character and local distinctiveness of the area in which they are located. 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.”*

Policy EN3 states that *“Development proposals within Conservation Areas must make a positive contribution to local character and distinctiveness.”*

Policy EN6 requires new development to *“make a contribution to the historic character of the area by respecting and enhancing its architectural and visual qualities...”* and *“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);....”*

The application site is within a Conservation Area and is specifically a Building of Townscape Merit (BTM), which is considered as a non-designated heritage Asset. The Appraisal states *“Buildings identified as having “townscape merit” will vary, but commonly they will be good examples of relatively unaltered 19th century and later buildings where their style, detailing and building materials provides the streetscape with interest and variety. Most importantly, they make a positive contribution to the special interest of a conservation area.”*

As set out in the planning history above there have been previous applications, which were refused and one which was appealed and dismissed. This appraisal focusses, therefore, on how the proposal has addressed the matters set out in refusals and upheld within the appeal decision.

The Inspector confirmed that a generously sized extension may be acceptable provided it responded to the positive features of the host building and the special interest of the Conservation Area, without causing harm to the historical significance of either.

The appealed proposal included a full width 2 storey extension with a roof height only set down slightly from the existing roof and an additional single storey extension of a different roof form. This the Inspector considered would (Para. 9) *“introduce two discordant design responses against the original historic fabric of the host building. This disparity would be further exacerbated by the variation in eaves heights of each of the proposed elements including the garage, compounding the discordant design I have identified. Overall, this would create a sense of imbalance and incoherence to this rear elevation which would be harmful to the original historic character of the host dwelling.”*

Although it is a similar depth to the previous refused schemes the overall scale and bulk has been reduced. The current scheme includes a significantly reduced width of the two-storey rear extension to about half the width of the house and the roof is set much further down from the main roof, and its form, which is hipped, reflects that of the host dwelling with the eaves at the same height. The single storey element has a simple flat roof with a stone parapet. The proposed 1 over 1 sash windows reflect original proportions and include arched soldier course detailing, and these are positioned in a regular formation. The overall appearance has been simplified compared to the previous proposals, including removing formerly proposed bracketed eaves and dormer windows.

Due to level changes to the rear the proposal also includes new steps with metal railings reflecting that used at the front of the property.

The proposal is part of a wider refurbishment and enhancement of the property. The applicant states in their covering letter that they wish *“preserve all the original features and character of the house.... and repair and restore them....”*. The submitted DAS identifies proposed repairs to stonework, leadwork, bracketed eaves and slate roof and also references proposed internal repairs/restoration including internal plasterwork, pediments over doors, architraves and coving.

Although the proposal would alter the appearance of building, this would be limited to the rear, therefore, not seen from the street, and would be sufficiently subservient, simple in form and with elements which reflect the original building. Therefore, it is not considered to significantly harm the significance of the historic character of the original building nor the significance and distinctiveness of the Conservation Area. The proposal would, however, have some impact on the existing dwelling and the Conservation Area, and the changes would not leave the house as ‘relatively unaltered, as the Conservation Area Appraisal states. This has been weighed against the material consideration of other changes which have taken place within the Conservation Area and the benefits including the refurbishment of existing features including sanitary, safety and energy efficiency features as a single-family dwelling. To ensure that the detailing of materials, proposed to match materials and the use of reclaimed materials where possible, is as set out within the application submission, a condition is included to ensure the submission and approval of external materials and details.

Overall, the proposal is, therefore, considered to accord with Policies, H9, CC7, EN1, EN3 and EN6.

b) Impact on Residential Amenity

Policy H9 states that an extension will be acceptable where it does not result in an overbearing impact on neighbours.

Policy H10 seeks to ensure that the amenity of gardens and other outdoor areas are not compromised.

Policy CC8 states *“Development will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties, in terms of:*

- *Privacy and overlooking;*
- *Access to sunlight and daylight;*
- *Visual dominance and overbearing effects of a development;*
- *Harm to outlook;*
- *Noise and disturbance;*
- *Artificial lighting”*

The proposed scheme would not extend beyond the building line of no. 87a and would have sufficient separation distance to no. 83 and 83A and would be of an overall scale which would not cause overbearing effects.

There would be no significant loss of daylight and sunlight to windows serving habitable spaces nor concerns in relation to overshadowing.

The main amenity issue raised through consultation is with respect to loss of privacy and overlooking from proposed ground and first floor side facing windows facing no. 83 and two ground floor windows facing no. 87a, and the loss of privacy from the potential use of the flat roof as a terrace.

Reason for refusal 2 of application 211981 also cited overlooking and perception of overlooking from side facing windows, which at that time included one serving a bedroom, and being its only window.

The proposed windows facing no. 83, would now serve bathrooms and, therefore, it is considered acceptable that these are obscure-glazed, and a condition is included to ensure retention of such. There are two new ground floor windows proposed facing no. 87a of a smaller scale than other existing and proposed windows. These would serve the proposed dining room. The Design Guide SPD states para 7.2.3 that *“Windows and doorways at ground floor level should be carefully sited to ensure that overlooking of existing windows in the adjacent property will not occur.”* An amended plan was received from the applicant, which includes for these to be obscure glazed, and these would also be covered by condition including that they should be fixed panes. Although as a habitable room, windows would not normally be obscure glazed, in this instance the proposed internal layout includes a number of other habitable spaces which would retain clear glass windows, and the dining room would not be a primary habitable space on the ground floor. Therefore, it is considered acceptable in this instance and in compliance with Policy CC8 and the House Extensions SPD.

The proposed extensions would bring the rear elevation windows closer to the neighbouring properties at the rear, but a rear separation distance, in excess of 40m, would be maintained, which it is considered would not pose any risk of overlooking or loss of privacy.

In terms of concerns with regard to the use of the proposed flat roof as a balcony/terrace, a condition is included to restrict its use.

It is considered that the proposed scheme, subject to the conditions, would comply with Policies H9 and CC8.

c) Ecology Matters

Policy EN12 states that *“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.”*

Policy H9: House Extensions and Ancillary Accommodation, house extension proposals are acceptable where it: *Does not result in a loss of biodiversity within gardens.*

The submission included a Preliminary Bat Survey (2024) and the submission of a Bat Emergence Survey Report. These have been undertaken to an appropriate standard and conclude that the house and garage are unlikely to host roosting bats and, therefore, there are no objections on ecological grounds. The Bat Survey states that precautionary measures are required so a condition is included requiring works to be undertaken in accordance with the report's recommendations.

The proposal includes a bat tile (integrated into the building) and a bat box in a tree, and a condition is included requiring the implementation of these bat roosting enhancements.

In the bat survey report submitted with the previous application (Arbtech, January 2022) there was evidence of bird nesting activity between the brickwork and the soffits. As this area would be affected by the works a condition is included to ensure that birds are not harmed during the works.

The extensions to the main house are to be constructed upon an already developed part of the site, so there will not be a harmful loss of existing green landscaping.

Overall, the proposal is considered to accord with Policy EN12.

c) Other

Unlike previous refused proposals there are no proposed changes to the garage nor a driveway gate to the front boundary. The parking arrangement, remains as existing, and the previous reason for refusal, regarding the set back of gates, is no longer relevant and the scheme would comply with Policy TR5.

However, there is a fall-back position which exists with respect to the installation of gates up to a 1m in height at a dwelling being permitted development (Schedule 2, Part 2, Classes A and B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). This was raised as a matter during the appeal for the previous refused scheme that such development under the GPDO would have the same impact on highway safety as the appeal proposal but would not require the impact of their installation on highway safety to be considered. Therefore, a condition is included to remove these permitted development rights to ensure that any future proposal for gates could be assessed.

Transport commented on the basement extension for the previous application 230375 and stated that as this would require excavation work, and in order to protect the stability/safety of the highway, it was recommended that the Council's Highways Department should be consulted with regards to the excavation work and proximity to the highway. An informative has been included to this effect.

The agent advised that the existing garage would be temporarily dismantled and then re-erected to allow access to the rear of the property for construction. An informative has been included.

A number of matters have been raised through neighbour consultation including with respect to foundations, stability of ground, and drainage, which are not material planning matters. These would be addressed through a combination of a Party Wall Agreement and Building Regulations. Informatives are included.

7. CONCLUSION

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

8. RECOMMENDATION

Application Permitted

Recommended Conditions:

- Standard time limit

- Materials to be submitted and approved
- Approved plans
- No new openings other than those shown on approved plans (removal of PD rights)
- Obscure glazing
- Use of roof restricted (not to be used as a balcony)
- Implementation outside of bird nesting season
- Biodiversity enhancements
- In accordance with recommendations in the Preliminary Roost Assessment bat survey report (2024)
- Vehicle parking as specified
- Removal of permitted development for front gates

Informatives:

- Terms and conditions.
- Building Control.
- Complaints about construction .
- Encroachment.
- In order to protect the stability/safety of the highway it is recommended that the Council's Highways Department should be consulted with regards to the excavation work and proximity to the highway.
- Garage dismantling and re-erection.
- Positive and proactive.