

DELEGATED APPLICATION REPORT

Ward: Tilehurst

App Ref: PL/24/1244 Full planning permission

Address: 33 Chapel Hill, Tilehurst, Reading, RG31 5BT

Proposal: Proposed construction of new 4 bed detached house with associated Soft and hard landscaping along with front hard standing for 2 off street car parking.

Applicant: First Home Real Estate Ltd

Received date: 20 September 2024

Target Decision date: 1 October 2025 (Extension of time)

Case Officer: Anthony Scholes

1. SITE DESCRIPTION

The site is part of the former side garden and parking area of no. 37 Chapel Hill. It is currently overgrown with some evidence of hard standing and some remaining boundary hedging to the front and within the plot. The other boundaries are fencing. It is ca 0.03 ha in area. It is relatively level, although there is small slope up, for part of the depth, from the back edge of the pavement.

Chapel Hill slopes down from south-east to north-west.

To the rear of the site is a cul-de-sac, with a terraced block of two storey houses side on to the rear boundary.

There are a range of house types, styles and eras of houses within the immediate area, comprising, detached, semis, and terraced housing, mostly 2-storey, but comprising some bungalows.

There is no consistent building line along Chapel Hill, although the immediately adjoining properties are set back from the road with a mix of front gardens and driveway parking. There is a mix of brick and rendered elevational finishes.

No. 37 Chapel Hill has an unusual form of part flat roofed single storey with a recessed unevenly pitched first floor as can be seen above. It has two side facing windows towards the pre-application site. No. 29 has one first floor side facing window towards the site. It is unknown which rooms the windows serve.

There are no specific policy designations for the site, however, there are relevant Borough wide policies set out below.



Location Plan



Google Earth aerial image

Proposed plot



Photos of pre-application site 11/6/24 from Chapel Hill



Figure 1 - Adjacent no.37 Chapel Hill

2. PROPOSAL AND SUPPORTING INFORMATION

The proposal is for the construction of new 4 bed detached house with associated Soft and hard landscaping along with front hard standing for 2 off street car parking. The materials would comprise brick to match adjacent buildings and clay tiles.

3. CONSULTATIONS

The following were consulted:

RBC Ecologist Consultant

No objection subject to conditions.

RBC Transport

No objections subject to conditions.

RBC Waste

No objections.

One neighbour letter of representation was received noting confusing in respect of the orientation of plans and documents. Plans were updated accordingly.

4. PLANNING HISTORY

None.

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'. 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 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).

Accordingly, the latest NPPF and the following development plan policies and supplementary planning guidance are relevant:

National Planning Policy Guidance

National Planning Policy Framework (NPPF) (2024)

Section 2 – Achieving Sustainable Development

Section 5 – Delivering a Sufficient Supply of Homes

Section 8 - Promoting Healthy and Safe Communities

Section 9 – Promoting Sustainable Transport

Section 11 – Making Effective Use of Land

Section 12 – Achieving Well-Designed and Beautiful Places

Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

Section 15 – Conserving and Enhancing the Natural Environment

Adopted Reading Borough Local Plan – November 2019

Policy CC1: Presumption in Favour of Sustainable Development

Policy CC2: Sustainable Design and Construction

Policy CC3: Adaptation to Climate Change

Policy CC5: Waste Minimisation and Storage

Policy CC6: Accessibility and the Intensity of Development

Policy CC7: Design and the Public Realm

Policy CC8: Safeguarding Amenity

Policy CC9: Securing Infrastructure

Policy EN12: Biodiversity and the Green Network

Policy EN14: Trees, Hedges and Woodland

Policy EN18: Flooding and Drainage

Policy H1: Provision of Housing

Policy H2: Density and Mix

Policy H3: Affordable Housing

Policy H5: Standards for New Housing

Policy H10: Private and Communal Outdoor Space

Policy H11: Development of Private Residential Gardens

Policy TR1: Achieving the Transport Strategy
Policy TR3: Access, Traffic and Highway-Related Matters
Policy TR4: Cycle Routes and Facilities
Policy TR5: Car and Cycle Parking and Electric Vehicle Charging

Supplementary Planning Guidance/Documents

Revised Parking Standards and Design (2011)
Sustainable Design and Construction (2019)
Employment, Skills and Training (2013)
Affordable Housing (2023)

Other Relevant Documents

Tree Strategy (2020)
National Design Guide (MHCLG, October 2019)
Reading Biodiversity Action Plan (2021)

Local Plan partial 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 update 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 these applications listed above is that they remain in accordance with national policy and that the objectives of those policies remains very similar in the draft updated Local Plan. Therefore, they can continue to be afforded weight in the determination of this planning application and are not considered to be ‘out of date’.

6. APPRAISAL

Principle of Development

Paragraph 124 of the NPPF states that: *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land”.*

The definition within the NPPF states that brownfield land (previously developed land) is defined as: *“Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as 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.”

The principle of the development would, therefore, need to be assessed in terms of the requirements of the National Planning Policy Framework (NPPF) paragraph 75 that seeks to ensure that policies are set out to resist inappropriate development of residential gardens.

At the local level, the Council's Local Plan (Policy H11) establishes a number of criteria against which applications for the development of private residential gardens need to be assessed.

Policy H11 states: Proposals for new residential development that includes land within the curtilage or the former curtilage of private residential gardens will be acceptable where:

- 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;
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;
Providing appropriate hard and soft landscaping, particularly at site boundaries. This includes features such as the variety of trees, hardstanding/lawns and hedges, etc;
Compatibility with the general building height within the surrounding area;
The materials and elevational detail. These should be high quality, and where appropriate distinctive and/ or complementary;
The arrangement of doors, windows and other principal architectural features and their rhythm between buildings.*
- 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;*
- 3) The proposal includes access, which meets appropriate highway standards;*
- 4) The proposal does 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;*
- 6) The proposal does not cause a significant detrimental impact to the amenity of adjacent and nearby occupants;*
- 7) The emphasis is on the provision of family-sized housing;*
- 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; and*
- 9) The proposal does not prejudice the satisfactory development of a wider area.*

From a land use perspective, provision of housing would align with the broad objectives of Policy H1 (Provision of Housing) in assisting meeting annual housing needs. The density of development is also considered suitable, with the proposal making an efficient use of the space/land available. Furthermore, the proposal would provide family sized accommodation. Accordingly, the proposals are considered to respond well to Policies H1 and H2. This will be subject to the more detailed considerations of relevant Local Plan policies detailed below.

Design and Character

Paragraph 135 of the NPPF details that decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character including the surrounding built environment and landscape setting.

Policies CC7 (Design and the Public Realm) and H11 (Development of Private and Residential Gardens) both seek to ensure that new development enhances and preserves the local character. Policy H10 (Private and Communal Outdoor Space) states that “the design of outdoor areas will respect the size and character of other similar spaces in the vicinity”.

The character of the area is mixed with some spacious plots, but for the most part, and with respect to the adjoining plots, the properties take up the large majority of the width of the plots, and have front gardens/ parking areas and rear gardens of modest size. The revised proposed development, includes a setback to the front which steps in a similar fashion to the adjoining 27, and 29. The building is set off the boundaries by 1m either side. The rear garden is between 8.38m and 9m from the rear boundary. This relationship is considered appropriate within a mixed area which contains detached, semi-detached and terraced properties all containing various setbacks and variations.

The design of the proposed house would be at a similar height, albeit taller than the adjoining properties. Due to the roof form, the height would also increase toward the centre of the site. This orientation, would enable the proposal to appear consistent with the general building heights within the surrounding area.

The proposal includes annotations that the development will include materials that would match the adjoining dwellings. Though is annotated with brick for the external cladding. The area has a mix of materials, with brick, render, and mixed roof types (slate/tiles). The proposal would be reasonably required to provide full details of materials to be used, including samples to ensure an appropriately high quality material finish. This will be secured by condition.

The detailing of the proposal would include a regular arrangement of architectural features. Generally, it is considered that the proposed building would be of an appropriate scale at a height which would be compatible to the surrounding context, and with a developed area, which would enable sufficient space to the front and rear comparable to adjoining plots. The two-storey element depth would be consistent with no. 29 and there is a modest proposed single storey extension to the rear, which is considered acceptable. Permitted development rights for further extensions will be removed by condition to ensure space around the building is maintained and/or assessed at the time of any such proposal.

On balance, the proposals are not considered to be so large such as to result in a cramped appearance or overdevelopment of the site to warrant a refusal.

Residential Amenity

Policy CC8 requires development to 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; Vibration; Dust and fumes; Smell; Crime and safety.

It is not considered that there would be any loss of privacy or overlooking. Whilst first floor side windows are proposed on the flank elevations, these would serve landing and en-suite/bathrooms areas which will be conditioned to be obscurely glazed. The first-floor side facing windows at no. 29 appears to be obscure glazed, as it is serving a non- habitable space.

Due to the plot coverage layout, and proximity to neighbouring properties, it is considered necessary to remove permitted development rights that allow other extensions to the property. A condition is included accordingly.

Internal Space for Future Occupiers

Policy H5 requires that proposed dwellings meet the nationally described space standards for the type of dwelling. The floor areas, and bedroom sizes meet the requirement of Policy H5. The rooms would largely be regular in size, and all would have sufficient outlook and daylight.

Amenity space

H10 deals specifically with private and communal space and states that “The design of outdoor spaces will respect the size and character of other similar spaces in the vicinity”.

Whilst the proposed garden would be less than the floor area of the proposed dwelling (as is generally required), it would be of a comparable scale to gardens within the immediate area. It is not considered to result in such substandard amenity space to warrant a refusal on this basis.

Trees and Landscaping

The proposed site currently includes a number of hedges along the boundaries and within the site and some of this would need to be removed to make way for the proposed dwelling. The hedging is a positive feature of the area and it is proposed to be retained to the frontage. A condition will also be required for hard and soft landscaping in part to assist in softening the impact of the proposals.

Ecology

Paragraph 187 of the NPPF (2024) states that: “Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs...”.

From 12 February 2024, biodiversity net gain (BNG) is mandatory for most development, including this.

Policy EN12 states that: “key elements of which are shown on the Proposals Map, shall be maintained, protected, consolidated, extended and enhanced ... Areas with potential for biodiversity value and which stitch the Green Network together – designated Local Green Space and open green spaces, and existing and potential Green Links. ... 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”.

The site is not identified as a ‘green link’, or priority habitat. The proposed development results in an on-site loss of biodiversity. This would weigh against the proposal in isolation. However, an off-site biodiversity net gain is required by legislation and would apply as a condition to the development if granted. This would lessen the harm identified, though would not directly mitigate the biodiversity in this specific site. As the separate regime for biodiversity net gain exists, and the proposal could be considered to comply with Policy EN12 which seeks a biodiversity net gain wherever possible, this aspect of the proposal is considered to be neutral in the planning balance.

As per the Biodiversity Net Gain Hierarchy, and Policy EN12, the applicant should prioritise on-site biodiversity gains. The applicant is seeking to provide on-site landscaping to retain some biodiversity. However, no such on-site provision could be considered to offset the loss as it could not be secured or monitored for the requisite period (30 years).

The baseline habitats is of relatively low ecological value, with most habitat lost to accommodate the footprint of the new house (including access and parking areas). The BNG condition will be attached automatically, and the applicant required to discharged likely via an off-site credits.

On site biodiversity enhancements, by way of 1 no. bat box, and 1 no. bird box will be secured by condition.

Housing, density, and mix

With regard to mix, policy H2 states that:

“Wherever possible, residential development should contribute towards meeting the needs for the mix of housing set out in figure 4.6, in particular for family homes of three or more bedrooms.”

The proposed scheme would be for a 4-bedroom house, which would accord with Policy H2. A condition will be attached to ensure it remained as a single Class C3 dwelling on grounds of housing need.

The overall plot density would accord with existing density patterns within the area.

Access, transport, and parking

The site currently benefits from an access point onto Chapel Hill in the form of one dropped crossing. The proposed site plan appears to indicate a slightly amended location of access point, which would necessitate an amended location/ widened dropped kerb, which would be acceptable, however, plans will need to be submitted illustrating the proposed parking layout and a licence would be required to undertake all works on the public highway.

The proposed layout includes two off-road parking spaces, which in itself would meet the Council’s parking standards for provision for a 4-bedroom dwelling (within RBC’s Revised Parking Standards and Design Supplementary Planning Document (SPD)).

The submitted site plan indicates an Electric vehicle charging point, which would accord with Policy TR5

There is sufficient space on site for cycle parking, including to the rear of the dwelling. Details of cycle storage will be secured by condition to ensure a secure covered storage area.

A construction method statement would be required and secured by condition to protect neighbouring dwellings from adverse impacts of inappropriate construction, including a condition restricting burning of waste on site.

Sustainability

The overarching sustainability policy CC2 requires proposals for new development to be designed and have site layouts which “use energy, water, minerals, materials and other natural resources appropriately, efficiently and with care and take account of the effects of climate change.”

Other policies to be addressed would be Policy CC3: Adaptation to Climate Change and CC5: Waste Minimisation and storage.

Specifically with regard to new dwellings Policy H5 requires:

“.....b. All new build housing will be built to the higher water efficiency standard under Regulation 36(3) of the Building Regulations; d. All other new build housing will achieve at a minimum a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the 2013 Building Regulations.

The submission refers to the proposed use of sustainable materials, solar panels, UPVC windows and an air source heat pump. Such measures would contribute toward meeting policy requirements and the building regulations requirements would ensure compliance with a 19% improvement in the dwelling emissions rate over the target emission rate. This will be secured by way of condition. The proposal would therefore comply with the above.

Affordable Housing, and Community Infrastructure Levy

Affordable Housing

Policy CC9, supported by the Planning Obligations SPD (2015), is the overarching policy on securing infrastructure, and makes it clear that developments will not be permitted unless “infrastructure, services, resources, amenities or other assets lost or impacted upon as a result of the development or made necessary by the development will be provided through direct provision or financial contributions at the appropriate time.”

As a housing scheme there would be a need to meet the affordable housing requirements as set out under Policy H3. A scheme of this scale would require a financial contribution to enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the Borough.

In the instance “where proposals fall short of the policy target as a result of viability considerations, an open-book approach will be taken and the onus will be on the developer/landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution.”

The applicant has provide a viability review at a later stage within the application process. This was reviewed on behalf of Council. The viability review was found to be unsound with regard to benchmark land value, and gross development value, including various other areas of disagreement. Though viability challenges were noted. In accordance with paragraph 59 of the NPPF (2024) “... *the weight to be given to a viability assessment is a matter for the decision maker...*”

The Reading Borough Local plan (2019) sets a target for housing need (H1). Reading is delivering well on that housing need. In conjunction with housing need, is the provision of affordable housing as per policy H3. The viability assessment undertaken at the time of adoption of the local plan considered that policy compliance for small schemes was possible at a large scale. The provision of a viability assessment at application stage is to investigate the site specific circumstances justifying a lower contribution. Notwithstanding the evidence contained within, the harm through non-provision, or under provision of an affordable housing contribution, is considered to weight significantly against the proposed development. The applicant was able to therefore agree a reduced upfront contribution of £10,000.00. The applicant has also agreed to a deferred payment mechanism in line with the adopted affordable housing supplementary planning document (2021) to capture uplift from current figures and based on actual figures of construction costs and values once completed. This will capture up to the policy compliant level of affordable housing from the development

CIL

The development would be liable for CIL and further detail is available here:

<https://www.reading.gov.uk/planning-and-building-control/planning-applications/community-infrastructure-levy/>

The proposal would generate a CIL liability of ~£30,105.

7. CONCLUSION

It is considered that the overall scale of the dwelling, is at the limit of a scale that is capable of being achieved within the plot. Subject to restricting further extensions, the proposal would be acceptable. Full details of materials and landscaping would be required to be dealt with by condition. There would be sufficient space for parking and car space although to be set within a landscaped front forecourt.

Existing hedged boundaries have been partially retained to ensure that the site continues to contribute to the green appearance of the site and to soften the appearance of a new dwelling and to contribute towards meet relevant Policies EN12 and EN14.

The application is recommended for approval.

8. RECOMMENDATION

GRANT