

DELEGATED APPLICATION REPORT

Ward: Peppard

App Ref: PL/24/1035 Full planning permission

Address: Land at Maytree Walk

Proposal: New 4 bedroom residential dwelling on the land at Maytree Walk

Applicant: Mary Kehoe

Received date: 12 August 2024

Target Decision date: 16 February 2026 (agreed extension of time)

Case Officer: Anthony Scholes

1. SITE DESCRIPTION

The site is located on the south side of Maytree Walk and forms part of the former private garden amenity space of no. 292 Henley Road, which is a single storey residential dwelling. Henley Road is an A road which connects Reading to Henley to the east / north-east. The properties along Henley Road are mixed in style, with semi-detached, single and two-storey dwellings.

Although the site is the former private garden of no.292 it relates more to Maytree Walk, accessed via Hawthorne Road. Maytree Walk is a small street containing a mix of modern developments including detached, semi-detached/link-detached and terraced properties. The site is enclosed by a closed boarded timber fence, and is overgrown.

The site is flat, with limited distinguishable changes in level. The site does not contain a listed building, nor is it located in a conservation area. The site is not within an air quality management area and does not include any other Local Plan designations.



Figure 1 - Site as viewed from Maytree Walk

2. PROPOSAL AND SUPPORTING INFORMATION

The proposed development seeks permission for a two-storey, four-bedroom dwelling. It would be provided with parking for two vehicles, and a small outdoor uncovered patio area.

The following plans and documents were provided in support of the application:

Drawing No. PL-04 – Proposed Elevations

Drawing No. PL-03 – Existing Elevations

Drawing No. PL-01 – Proposed Plans

Drawing No. PL-02 – Block Plan

Drawing No. PL-06 – Street Elevation

Location Plan

CIL Form

Design and Access Statement

As received by the Local Planning Authority on 12 August 2024

Arboricultural impact assessment, method statement, and tree protection plan, dated 18 October 2024

As received by the Local Planning Authority on 23 October 2024

3. CONSULTATIONS

The following were consulted:

- Valuations Consultations – No objections
- Waste Operations Consultations – No objections
- Trees - Planning Natural Environment – No objections
- Transport Development Control – No objections
- Ecology Consultations – No objections

The following addresses were consulted by letter: 290, 294, 292 Henley Road; 6, 8, 10, 23, 25 Maytree Walk:

Three letters of objection have been received, and the issues are summarised as follows:

- Narrow width of Maytree Walk, lack of parking and manoeuvring space for large vehicles and emergency vehicles;
- Financial contribution towards construction of Maytree Walk required
- Additional parking demand on Maytree Walk
- Access over ransom strip land in Maytree Walk
- Bin collection, and access for waste vehicles
- Access should be provided via Montfort Gate
- Clearing of site prior to application
- Overlooking to Maytree Walk properties
- Potential for blocking of private access

4. RELEVANT PLANNING HISTORY

PL/19/0592 (FUL) - 4 bedroom residential dwelling on the land to the Rear of 292 Henley Rd. Access will be provided from Maytree Walk. Granted 13 August 2021

Neighbouring development

110805 – Erection of 3 detached 4 bedroom houses to rear of 15-18A Hawthorne Road. Granted 25/9/2012

5. EQUALITY ACT

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.

6. LEGAL AND PLANNING POLICY CONTEXT

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

National Policy and Guidance

National Planning Policy Framework 2024

National Planning Practice Guidance

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

CC6: ACCESSIBILITY AND THE INTENSITY OF DEVELOPMENT

CC7: DESIGN AND THE PUBLIC REALM

CC8: SAFEGUARDING AMENITY

CC9: SECURING INFRASTRUCTURE

EN7: LOCAL GREEN SPACE AND PUBLIC OPEN SPACE

EN8: PROVISION OF OPEN SPACE

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

H1: PROVISION OF HOUSING

H2: DENSITY AND MIX

H3: AFFORDABLE HOUSING

H5: STANDARDS FOR NEW HOUSING

H10: PRIVATE AND COMMUNAL OUTDOOR SPACE

H11: DEVELOPMENT OF PRIVATE RESIDENTIAL GARDENS

TR1: ACHIEVING THE TRANSPORT STRATEGY

TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS

TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING

Supplementary planning documents

Affordable Housing (2021)

Revised Parking Standards and Design (2011)

Sustainable Design and Construction (2019)

Planning obligations under section 106 (2015)

Local Plan Partial Update (May 2025)

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’.

The Local Plan Partial Update was submitted to the Secretary of State on 9th May 2025. Submission marks the beginning of a process of public examination led by an independent Inspector. Due to the stage of examination, the draft Local Plan can be afforded limited weight.

7. APPRAISAL

Principle of development

The NPPF seeks to make an effective use of land through as much use as possible of brownfield land. The definition of previously developed land (brownfield land) excludes residential gardens. Therefore, it is clear that the priority for development should be on previously developed land, in particular vacant and derelict sites and buildings. However, that does not mean that the development of private residential garden land is unacceptable in principle, rather that previously developed land should be the first choice for housing development.

Policy H11 ‘Development of Private Residential Gardens’, seeks to ensure that sites are appropriate for residential development, including but not limited to: the character and appearance of the area, a focus on family-sized dwellings, provision of a biodiversity net gain. It is important to note that a site such as this, considered a windfall site, has an important role in meeting the Council’s housing targets. The proposal may be acceptable for additional housing, as considered further below.

It is noted that as per the planning history above, a previous application for a similar development was granted in August 2021 (now lapsed).

Design and, character and appearance of the area

Policy CC7 seeks that development proposals contribute positively to the character of the area of Reading within which they are located.

The residential dwellings to this part of Maytree Walk are all set in similarly sized plots. The layout of the proposal would not result in a development that would be out of keeping in size with those found elsewhere

within the road. Adequate garden space would be provided for the development, and adequate garden space remains for 292 Henley Road (albeit already subdivided on title). The footprint of the proposed dwelling is also reflective of those found in the surrounding area whilst the position of the dwelling within the site would retain adequate separation to the site boundaries.

At two storeys the proposal would be in keeping with the scale of other properties along Maytree Walk. The design of the dwelling with gable roof, is also considered to integrate satisfactorily within the street-scene, though no.25 includes a differing orientation to the proposal.

The plot is considered to be of an adequate size to accommodate the proposed dwelling, and the proposal is considered to contribute positively to the character of the area. It is proposed to provide a new independent access to the site and the proposal would not result in a tandem form of development.

The application has been considered on the plans presented, and is assessed with regard to amenity space, privacy and design in its current form. The ability to extend under permitted development rights may give rise to additional impacts on neighbours, the streetscene and character of the area, or the future residents of the development. Permitted development rights are, therefore, sought to be removed on this basis to protect these aspects from uncontrolled extensions to the dwelling hereby permitted.

The proposal is considered to accord with Policies CC7 and H11.

Biodiversity and the Natural Environment

From 12 February 2024, all developments (barring specific exemptions) which are given permission are considered to be given permission on the condition that they provide a 10% biodiversity net gain. The provisions of the legislation which relate to this, include transitional arrangements which state: *"Biodiversity net gain has only been commenced for planning permissions granted in respect to an application made on or after 12 February 2024. Permissions granted for applications made before this date are not subject to biodiversity net gain."* As such, the current application, is subject to mandatory biodiversity net gain. The proposal leads to a BNG net loss of -0.1006 Area Habitat Units.

With regard to no net loss of biodiversity, policy EN12 also states: *"In exceptional circumstances where the need for development clearly outweighs the need to protect the value of the site, and it is demonstrated that the impacts cannot be: 1) avoided; 2) mitigated or; 3) compensated for on-site; then new development will provide off-site compensation to ensure that there is "no net loss" of biodiversity."* In this instance, in light of the overwhelming need for housing within Reading, including concerns around the Council's position on 5-year housing supply, the significant need for larger family homes such as the proposal are considered together to clearly outweigh the biodiversity value of the site. It is considered that the on-site biodiversity loss is clearly demonstrated in line with Policy EN12 in this instance. Further to this, in order to mitigate the impacts of the development, an off-site biodiversity credit is proposed to be purchased by the Applicant. This will be in line with the biodiversity credits scheme set up to support the delivery of mandatory biodiversity net gain. The off-site provision of 0.1006 area habitat units would offset the on-site loss and is sought to be secured by the automatically applied condition, an informative confirming the pre-commencement BNG condition will be included.

The application site does not contain any trees. There are a number of off-site trees within close proximity of the development. An arboricultural impact assessment and tree protection plan has been submitted. The measures contained within those assessments are suitable to protect those off-site trees. The proposal includes landscaping to ensure the development provides a reasonable setting.

Subject to conditions to ensure the development is carried out in accordance with the submitted arboricultural report, method statement and tree protection plan and to secure submission, approval and

implementation of the scheme of hard and soft landscaping the proposals are considered to accord with Policies CC7, EN7, EN12, EN13, and EN14.

Amenity

Policy CC8, and H11 seek to protect existing and future occupiers from the impacts of new development.

The neighbouring property at 25 Maytree Walk has the most potential to be impacted upon by the proposed new dwelling. The proposed dwelling does not incorporate any ground, first or second floor windows to the side elevations such that there would be any undue overlooking or loss of privacy. No 25 includes a side facing window onto the proposal. However, this serves a stairwell only, and, therefore, impacts on outlook would not be considered harmful. The proposal may result in some loss to daylight entering this window, however it would not be so harmful as to warrant refusal on this basis. The proposed development is slightly longer than the neighbouring dwelling. The neighbouring dwelling includes a glazed conservatory to the ground floor rear. There would be some impact upon outlook, though this would be minor.

The separation distance to the 292 Henley Road is not considered such to create an unduly overbearing relationship.

The proposed dwelling itself would provide for a good standard of amenity for future occupiers as a family home. All rooms are considered to be of adequate size and to be served by good outlook and daylighting. In addition, the existing neighbouring trees would not create unacceptable loss of light or affect amenity space to such a degree that would be harmful, or create significant pressure to prune in the future. At 185m² over two floors, the proposal exceeds the nationally described space standards for a 4-bedroom dwelling as required by policy H5 (124m² required).

A construction method statement would be secured to manage impacts upon surrounding occupiers. The proposal is considered to accord with Policies CC7, CC8, H11.

Transport

Policies TR1, TR3, and TR5 seek to address access, traffic, highway and parking related matters relating to development.

The site is located within Zone 3, Secondary Core Area, of the Council's adopted Parking Standards and Design SPD. Typically these areas are within 400m of a Reading Buses high frequency 'Premier Route', which provides high quality bus routes to and from Reading town centre and other local centre facilities.

In accordance with the adopted Parking Standards and Design SPD a development would be required to provide on-site parking provision for 2 vehicles for a 3+ bedroom dwelling. The proposals include provision of 2 on-site vehicle parking spaces in the form of a double driveway which both conform to Council standards in terms of size.

Plans have been submitted as part of the application which demonstrates visibility splays from the access point which adheres to Council standards. Formation of the new access point would require partial removal of a grass verge between the site and the road, and the application proposes that the grass verge to be removed would be replaced with a permeable surface and, therefore, also adheres to Council standards. A licence from the Highway Department would be required to create the new dropped kerb access.

The site is considered to be of adequate size to accommodate suitable bicycle and bin storage. The proposal would accord with Policies TR1, TR3, and TR5.

Affordable Housing

The application includes provision of an additional dwelling and would therefore be required to contribute towards off-site affordable housing provision within the Borough. In accordance with Policy H3 this would equate to a contribution equivalent to 5% of the GDV of the proposed new dwelling. The applicant has provided a viability assessment to support the application. This is identical to the viability report provided in association with the previously approved (now lapsed scheme) and includes a policy compliant contribution of £15,000.00 which would be secured by way of a section 106 legal agreement. RBC's valuations team agreed that the viability information remained relevant in this instance. As such, the contribution is considered to meet the requirements of policy H3.

Other Matters

Sustainability

The appropriate level of sustainable construction in accordance with policy CC2 and H5 would be secured the appropriate building regulations requirements. A condition is recommended to be attached to secured details of compliance prior to occupation to secure the 19% improvement upon 2019 Building Regulations, and the improved water efficiency standards under Regulation 36(3) of the Building Regulations.

Community Infrastructure Levy

The proposal would be a Community Infrastructure Levy (CIL) liable development. The levy for the proposal would be £33,0259.66 based on a total floor area of 203m². An informative would be attached to the decision notice to advise the applicant of their responsibilities in this respect.

Land Ownership

The land to the frontage of the site between Maytree Walk and the application site is owned by a third party (a ransom strip). This party has agreed to be part of the s106 agreement. The ransom strip does not affect the planning status, and the ownership arrangements would be a private matter between parties, to ensure access to the development over said land.

8. CONCLUSION/RECOMMENDATION

The provision of an additional dwelling, which would assist the Council in meeting its housing targets pursuant to policy H1 of the RBLP, would weigh in favour of the proposal. The provision of a good-sized family dwelling, with sufficient amenity space, located in a way that ensures no impacts on neighbouring properties is considered positive and weighs in favour of the proposal. The loss of on-site biodiversity is considered to weigh slightly against the proposal, though this is offset by the off-site biodiversity credits and would result in neutral weight. It is considered that the planning balance weighs in favour of granting permission subject to conditions.

GRANT full planning permission subject to the following conditions and completion of a section 106 legal agreement.

1. Time limit
2. Approved Plans
3. Materials (to be approved)
4. Construction method statement (to be approved)
5. Landscaping scheme (to be approved)
6. Boundary treatments details (to be approved)
7. Ground protection and adherence with AMS (compliance condition)
8. Biodiversity enhancements (to be approved)
9. PD rights removed (compliance condition)



10. Construction and demolition hours (compliance condition)
11. No burning of green waste (compliance condition)
12. Vehicle parking to be provided (compliance condition)
13. Vehicle access as proposed (compliance condition)
14. SAP final certificate (to be approved)
15. Refuse and recycling to be provided (compliance condition)
16. EV charging scheme (to be approved)