

## DELEGATED APPLICATION REPORT

Ward: Southcote

App Ref: PL/23/0785 Full planning permission

Address: 9a Circuit Lane, Reading, RG30 3HB

Proposal: Division of 1 dwelling into 2 dwellings (Class C3) and the erection of 1 additional dwelling (Class C3) (amended)

Applicant: Mr Simon Knight

Received date: 8/6/2023

Target Decision date: 30/04/2026 (Ext)

**Case Officer: Alison Amoah**

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### 1. SITE DESCRIPTION

The site relates to No.9a Circuit Lane, a brick built detached house with a detached garage and sheds, located via a private track between Nos 9 and 11a Circuit Lane on the eastern side of Circuit Lane.

The western boundary forms the rear boundary of nos. 11a, 11b, 11, 13 and 15, each with varying garden depths, and with nos. 13 and 15 with larger gardens. The southern boundary forms part of the side boundary of the rear garden of no. 17.

The surrounding area is largely residential, albeit there is a car dealership to the north and allotments to the east, both at higher ground level than the application site.

Part of the site is within an Air Quality Management Area, and an area of potential contaminated land.



### 2. PROPOSAL AND SUPPORTING INFORMATION

The amended proposal includes the retention of the existing dwelling and its single storey side extension and the erection of a two-storey side extension to the north of the existing dwelling and division of the original five bedroom main dwelling into two four-bedroom dwellings. This would be along with a further three bed detached dwelling to the south of the existing dwelling. There would be parking to the front along with gardens to the front, rear and side of the existing and proposed dwellings.

There would be 6 no. car parking spaces (2 per dwelling), cycle spaces for each property, bin storage and soft landscaping.

The mix of units and sizes would be as follows:

Unit 1: 2 storey and accommodation in the loft space – 4 bed 7 persons 153sqm

Unit 2: 2 storey and accommodation in the loft space – 4 bed 7 persons 159sqm

Unit 3: 2 storey - 3 bed 5 persons 113sqm

The proposed materials would include: light grey weatherboarding and fascia, grey upvc window frames, concrete tiles and red brick.

The following drawings and other supporting documents were considered:

- Drawing no: 02-00 - Site Location Plan, received 8<sup>th</sup> June 2023
- Drawing no: 03-00 – Existing Ground Floor and First Floor Plan, received 8<sup>th</sup> June 2023
- Drawing no: 05-00 – Existing Elevations, received 8<sup>th</sup> June 2023
- Drawing no: 02-10 Rev E – Proposed Block Plan, received 19<sup>th</sup> March 2026
- Drawing no: 02-12 Rev F – Proposed Site Plan Landscaping and Ecology Enhancement, received 30<sup>th</sup> April 2026
- Drawing no: 03-10 Rev D – Proposed Ground Floor Plan, received 13<sup>th</sup> March 2026
- Drawing no: 03-11 Rev D – Proposed First Floor Plan, received 13<sup>th</sup> March 2026
- Drawing no: 03-12 Rev D – Proposed Second Floor Plan, received 13<sup>th</sup> March 2026
- Drawing no: 05-10 Rev PL2 - Proposed Front and Rear Elevations, received 26<sup>th</sup> January 2026
- Drawing no: 05-11 Rev PL2 - Proposed Side Elevations and Sections, received 26<sup>th</sup> January 2026
- Affordable Housing Statement, Ref: 791/AFHS/Issue 2, dated July 2023, prepared by Colony Architects, received 23<sup>rd</sup> July 2023
- Biodiversity Net Gain Metric, received 16<sup>th</sup> May 2024
- Biodiversity Net Gain Assessment, dated 16/5/24, ref: 5023.1, prepared by Daniel Ahern Ecology, received 16<sup>th</sup> May 2024
- Schedule of Accommodation, received 17<sup>th</sup> November 2023
- Design and Access Statement, Revision 2, dated November 2023, prepared by Colony Architects, received 17<sup>th</sup> November 2023
- Planning Statement, dated 23<sup>rd</sup> May 2023, prepared by ET Planning, received 8<sup>th</sup> June 2023
- Preliminary Ecological Appraisal, dated April 2023, Ref: 4506, prepared by Daniel Ahern Ecology Ltd, received 8<sup>th</sup> June 2023
- Tree Survey and Arboricultural Impact Assessment, dated 11/4/23, Document ref: GHA/DS/123260:23, prepared by GHA Trees, received 8<sup>th</sup> June 2023
- Tree Protection Plan, received 12<sup>th</sup> October 2023

## Existing Elevations



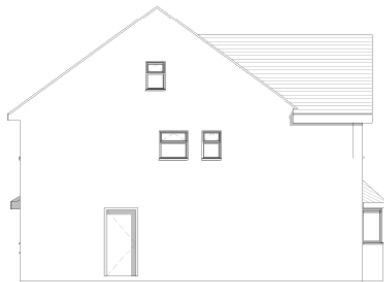
EXISTING FRONT ELEVATION



EXISTING SIDE ELEVATION (SOUTH)



EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION (NORTH)

## Proposed Elevations



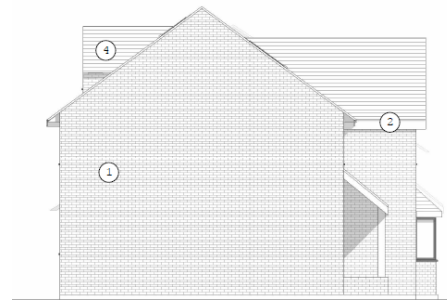
PROPOSED FRONT ELEVATION



PROPOSED SOUTH SIDE ELEVATION

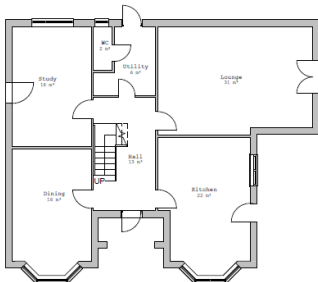


PROPOSED REAR ELEVATION



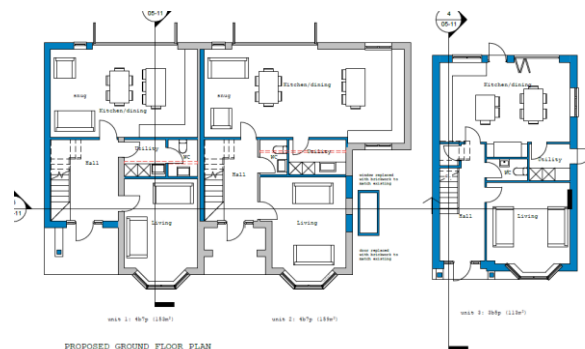
PROPOSED NORTH SIDE ELEVATION

## Existing Floor Plans

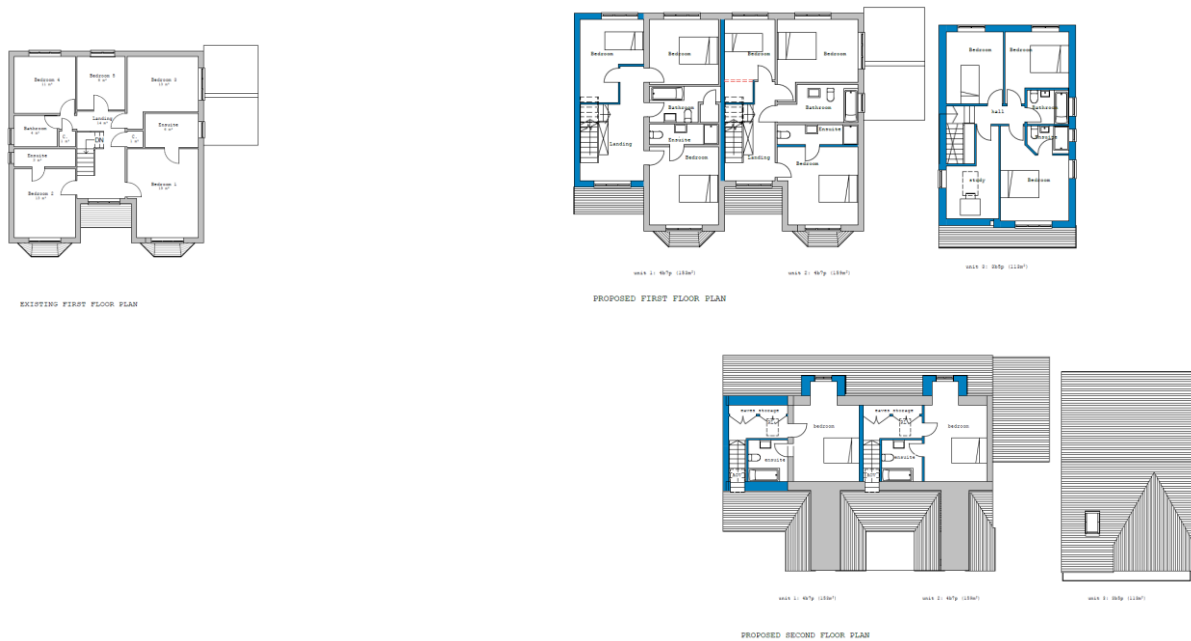


EXISTING GROUND FLOOR PLAN

## Proposed Floor Plans



PROPOSED GROUND FLOOR PLAN



### ***Proposed Site Plan***



## **3. CONSULTATIONS**

The following were consulted:

The following addresses were consulted by letter:

- 3a, 3b, 5a, 5b, 9, 9a, 11, 11a, 11b, 13, 15, 17 Circuit Lane
- 1, 49, 53, 55, 57, and 59 Fawley Road

Two letters of representation were received as follows: Objections from nos. 13 and 15 Circuit Lane.

The issues raised were:

- Overlooking/loss of privacy
- Noise and air pollution from cars
- Increase in traffic
- Substantial disruption during the construction phase

Residents were reconsulted on the first amended plans on 20<sup>th</sup> June 2024 (which amended the detached house design) and no comments were received.

A further amendment to retain the existing house's side extension and a resultant re-siting of the proposed detached dwelling to its south and minor landscaping changes, was consulted on in March 2026. Objections and observations were received and are summarised as follows:

- Overlooking from southern windows of new house. Could the bedroom window be removed or obscure glazed and not fully openable.
- New trees to the south of the new house do not indicate type or size, but would be unlikely to provide screening for at least 10 years.
- First floor bedroom to the west looks directly into gardens, kitchens and bedrooms. The marked Leylandii were removed several years ago.
- Drawings do not refer to wildlife within the neighbourhood. (including bats, hedgehogs, foxes deer). Fences should allow for wildlife to pass through gardens and construction work would need to minimise impact on wildlife. Badgers regularly use the site and there is an existing sett in the NE corner. I have a pond within 10m of the site boundary.
- Traffic calming measures should be mandated at the entrance to the driveway to discourage speeding across the intersection to join Circuit Lane. Pedestrian and highway safety concerns with an increase in 12-15 vehicle movements per day.
- The original permission for 9a was for a pair of semis, but one house was built at the back of the property. This proposal worsens the situation. An additional pair of houses was then later built at the front of the property, doubling the number of houses built to the original planning application.
- My property is over 2.2m higher than the application site and the proposal would infringe our privacy and enjoyment of our space.
- The gated access is less than 3.7m, which is less than 4.1m required and how would pedestrian access be obtained?

A site notice was displayed.

Internally the following consultation responses were received:

**Ecology** - The initial comments dated 10/8/23 were as follows:

The application site comprises a parcel of land which includes a detached house and outbuilding(s) within the curtilage of 9a Circuit Lane. It is proposed to add a two -storey side extension to the house, subdivide the building into two dwellings and erect a further dwelling on the land. The site is located in a residential area of Reading and surrounded by habitat of good wildlife value, including woodland within Devil's Dip Local Wildlife Site (LWS) 60m to the northwest, Circuit Lane allotments directly to the rear and Prospect Park (LWS) 130m north.

This is similar to previous application 221628 [*The alteration of 9a Circuit Lane into 2 dwellings (comprising demolition of extensions to the main dwelling) and the erection of 2 additional*

*dwelling at the surrounding land]* which was refused in part because of a lack of information regarding ecology.

The updated ecology report (Daniel Ahern Ecology, April 2023) concludes that the house, outbuildings and trees on site are unlikely to host roosting bats. The report states that the site is not considered to be suitable for badgers, otters or other protected species. Nonetheless, there is a very small chance that there may be reptiles on site and the vegetation on site is likely to be used by nesting birds. A condition should therefore be set to ensure that a Construction Environment Management Plan for Biodiversity is implemented.

#### Biodiversity Net Gain

The applicant has submitted a screen shot purporting to show that the development will result in a net gain of 59.25% in habitat units which is surprising as this is identical to the previous application which had larger areas of hardstanding. Furthermore, the spreadsheet has not been provided and as such, it is not possible to verify the calculation. The applicant will need to provide an updated calculation (the DEFRA 4 metric should be used as this is a new application) and provide post and pre (baseline) development habitat maps. The baseline should be the site before clearance of the site was undertaken (as shown in the photos in the ecology report).

#### Biodiversity Enhancements

The Proposed Site Plan Landscaping & Ecology Enhancements (Colony Architects, rev: 791 02-12 a) appears to show one bird box in the middle of a lawn area next to the cycle shed. As per our comments for the previous application (221628), this is not sufficient and revised drawings showing an increased number of bird boxes as well as bat box/brick/tiles should be submitted.

Furthermore, these should be integrated into the buildings because if they are not, over time they will fall off or be removed, and will not provide sustainable long-term habitat for bats or birds. The applicant should provide full details of these or alternatively a condition could be set to ensure that these are provided.

#### Lighting

No lighting details have been supplied and a condition should be set to ensure no external lighting is installed without the prior approval of the Council.

#### Summary

The Biodiversity Net Gain metric spreadsheet should be supplied along associated maps, management plans, habitat condition assessment sheets etc. The applicant should ensure that these match the proposed landscape drawings.

If the above issue can be addressed, subject to suggested conditions for Construction Environmental Management Plan, biodiversity enhancements and external lighting, there would be no ecological objections to this application.

**Planning Officer Note:** Further to the submission of amended/ additional information Ecology provided amended comments as follows (21/5/24):

#### Biodiversity Net Gain

The applicant has submitted a spreadsheet and report showing a net gain of 0.09 habitat units (equivalent to 155.26%). There are no maps showing the habitats post construction and the

landscaping plan ref: 791 02-12 b, has been used in the calculation. The calculation would appear to be incorrect for a number of reasons including inappropriate assignments of habitat types and extents (baseline should be all vegetated garden) and has not accounted for recent clearance works on site. Proposed enhancements include a number of new trees, hedging and a change of hardstanding areas to private gardens. We have run a corrected version of the BNG metric and it seems reasonable to assume that the proposals will result in a (smaller) net gain for biodiversity, which satisfies the requirements of policy EN12. As such, it is recommended that a condition is set to ensure the landscaping plans are put in place as per the plans submitted.

#### Biodiversity Enhancements

An updated Proposed Site Plan Landscaping & Ecology Enhancements (Colony Architects, rev: 791 02-12 b) shows to bird and two bat boxes on the new houses and one bird box on an existing tree in the garden of Unit 3. As per our previous comments, these should be integrated into the buildings because if they are not, over time they will fall off or be removed, and will not provide sustainable long-term habitat for bats or birds. The applicant should provide full details of these enhancements, or alternatively a condition should be set to ensure that these are provided.

**Planning Officer Note:** Ecology provided further comments on 28/5/24 to state “*The landscaping plan seems to be the same plans as previously provided, certainly in terms of bat and bird roosting enhancements. It still shows non integrated bat and bird boxes and these will need to be changed so they are integrated into the fabric of the building.*”

An amended plan was received on 24<sup>th</sup> January 2025, which included details of integrated bird and bat boxes.

Further to the receipt of amended plans in March 2026 Ecology provided further comments on 20<sup>th</sup> April 2026 reiterating the need to condition the submission and approval of a Construction Environmental Management Plan with the addition of a precautionary badger check (i.e. include a requirement to undertake a pre commencement badger survey within 28 days of works starting).

**RBC Environmental Protection** - Environmental Protection concerns: Contaminated Land; Construction and Demolition phase.

#### Contaminated Land

Where development is proposed, the developer is responsible for ensuring that development is safe and suitable for use for the purpose for which it is intended. The developer is thus responsible for determining whether land is suitable for a particular development or can be made so by remedial action.

You are advised that the development lies adjacent to the site of an historic gravel pit which has the potential to have caused contaminated land and the proposed development is a sensitive land use. The gravel pit was located adjacent to the garden areas to the east.

A condition and informative are recommended (unidentified contamination and informative regarding being adjacent to potentially contaminated land), and these are required to ensure that future occupants are not put at undue risk from contamination.

### Construction and Demolition Phases

We have concerns about potential noise, dust and bonfires associated with the construction (and demolition) of the proposed development and possible adverse impact on nearby residents (and businesses).

Fires during construction and demolition can impact on air quality and cause harm to residential amenity. Burning of waste on site could be considered to be harmful to the aims of environmental sustainability.

Recommended conditions are: pre-commencement Construction Method Statement, hours of construction and no bonfires.

**RBC Transport** – The initial comments were as follows: 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.

The proposed development will result in 3 residential units following alterations and subdivision of the existing dwelling, No 9a Circuit Lane) to create 2 flax 4 bedroom dwellings and the creation of a separate 3 bedroom dwelling constructed to the South of No9a.

In accordance with the adopted Parking Standards and Design SPD the proposed development would require each dwelling to be provided with 2.0 off road parking spaces. Submitted block plan illustrates 8 parking spaces which is in excess of the parking standards. 2 of these are proposed to be visitor bays. Dimensions for standard parking bays conform to current standards as are the forecourt depths, however an on-site turning area should be provided. As visitor parking is not technically required for the proposed dwellings the parking layout could be reviewed and reconfigured to provide a suitable turning area.

The Council's Local Transport Plan 3 Strategy 2011 – 2026 includes policies for investing in new infrastructure to improve connections throughout and beyond Reading which include a network of publicly available Electric Vehicle (EV) charging points to encourage and enable low carbon or low energy travel choices for private and public transport. The Council's Local Plan was adopted in November 2019 and this includes a requirement at Policy TR5 for each new house to be provided with an electric charging point, this therefore equates to 3 EV charging points. This will need to be illustrated on revised plans.

### Access

Shared vehicle access is proposed via Circuit Lane utilising the existing access; The access will need to be a minimum of 4.1m wide as would the road leading to the dwellings to allow for 2way movement in and out of the site. A licence must be obtained from the Council's Highways section before any works are carried-out on any footway, carriageway, verge, or other land forming part of the public highway to agree the access construction details, this includes any alteration to the access. A 1.8m wide pedestrian footway should be provided to the dwelling through the site. Revised plans are required.

Aerial images show the property currently has gates. Clarification is required if gates are proposed for the proposed development, these will need to be illustrated on plans set back a minimum of 5m into the site. Revised plans are required.

### Cycle Storage

In accordance with the Council's Parking Standards and Design SPD, secure cycle storage for 2 cycles per dwelling are required. Submitted landscape plans illustrates cycle storage for dwellings 1 and 2 in the private rear gardens of each dwelling and in the front garden area for dwelling 3. Provision is deemed acceptable however the applicant should consider relocating storage into the garden areas for added security.

### Bin Storage

Bin storage should not be located further than 15m from the access point of the site to avoid the stationing of service vehicles on the carriageway for excessive periods and should comply with Manual for Streets and British Standard 5906: 2005 for Waste Management in Buildings to avoid the stationing of service vehicles on the carriageway for excessive periods. Tracking diagrams demonstrating refuse vehicles entering and exiting the site in first gear are required, or a central collection point located near the access.

A CMS would be required for this development.

Please ask the applicant to address the points above so that this application can be fully determined.

***Planning Officer Note:*** Further comments were received from Transport on 24/5/24 which stated *"In my previous Transport comments I had stated that an on-site turning area should be provided. As visitor parking is not technically required for the proposed dwellings the parking layout could be reviewed and reconfigured to provide a suitable turning area. A pedestrian footway into the site has not been provided nor the 4.1m width of the access."*

A further amended plan was received on 19<sup>th</sup> November 2024, which shows 6 no. car parking spaces no visitor spaces and a larger turning area; a 4.1m wide access way; 3 x EVCP; existing gates retained, which are set back from the highway; and a central bin collection point outside the gates, close to the highway.

Further to the receipt of amended plans in March 2026 Transport provided further comments on 21<sup>st</sup> April 2026 reiterating that there should be a 4.1m width of access and a pedestrian footway. A reduced width of 1.2 metres could be considered acceptable where retention of the grass verge is necessary for landscaping reasons. This relaxation is considered reasonable given that the proposal comprises only three dwellings, and therefore pedestrian and vehicular movements are expected to be limited. All proposed widths and arrangements must be clearly illustrated on the submitted plans.

**RBC Trees** - Part of the site is within the Air Quality Management Area, which should give tree retention and planting increased weight in assessing proposals.

The suitability of a similar proposal was explored during pre-application stage (ref. 220041), on which occasion Natural Environment comments stated the importance of tree retention and planting, noted that arboricultural reports (AIA, AMS) as well as a landscape plan will be required during a future application and that any future such application must demonstrate a net increase in canopy cover on site following development.

### Existing trees

With reference to the BS5837:2012 Tree Survey and Arboricultural Impact Assessment (AIA) Ref. GHA/DS/123260:23 and accompanying Tree Protection Plan, the following are noted:

A total of 8 trees will be removed, of which 3 partly on arboricultural grounds and 5 to enable development. None of the trees to be removed are of high quality or high amenity, as such their removal, subject to replacement planting, is agreeable.

The Arboricultural Method Statement included in the AIA is self-described as a preliminary one – we should secure the final version via condition. Some comments to be addressed in such a final version below:

- Where references are made to the dimensions of exposed roots, these should refer to the diameter i.e. larger or smaller than 25mm diameter.
- Demolition work within RPA of retained G13 is provisioned. However, temporary tree protection fencing should be erected at all other locations before any demolition work commences on site. Only the temporary tree protection fencing for G13 will be erected after demolition works are completed.
- Following the above point, paragraph 8.3 should mention the 2 phase approach (1<sup>st</sup> phase - erect tree protection fencing around all retained trees except G13, then carry out demolition works; 2<sup>nd</sup> phase – once demolition is complete, erect tree protection fencing around G13; commence construction works).
- New driveway sections within the RPA of G1 are proposed. The AMS should state that these works should be carried out after all other construction activity on site is completed – as the tree protection fencing at this location will be dismantled to carry out the new surfacing works.
- Paragraph 8.3 should refer to 'prior to any works on site' instead of 'prior to any works in the vicinity of the trees' as the latter is too vague and unquantifiable.
- Arboricultural supervision must include 1 visit from the project arboriculturalist to check the temporary tree protection fencing is installed prior to commencement of any demolition/construction activity on site.

The Arboricultural Impact Assessment demonstrates, in principle, that the proposal's impact on existing trees can be mitigated subject to securing tree protection measures and replacement planting.

### Landscaping

With reference to the Proposed Site Plan, Landscaping & Ecology Enhancement Drg. No. 02-12 rev A, the following are noted:

The Existing trees to be retained shown on the Landscape Plan are not consistent with the AIA. Trees T3, T4, T5, T6 are shown as removed on the AIA/TPP but as retained on the Landscape Plan. Given the condition of these trees and the location of tree protection fencing shown in the Tree Survey and on the TPP respectively, they cannot be retained. The Landscape Plan should be amended to make it consistent with the TPP.

Only 6 new trees are provisioned on the plan, which is not enough to compensate for the removal of 8 existing trees. I note the AMS/TPP indicate there is potential to plant 10 new trees. Amendments are necessary to include more new trees (9-10 required). For reference, the

proposed new trees shown on the TPP are agreeable in both numbers, species and planting locations.

Comments relating to establishment and maintenance:

- Supporting timber stakes should be removed after 3 years (if trees established)
- Watering should be provisioned for the first 2 years during the April-October months on a weekly basis. Amount of water per week per tree to relate to the tree's size at planting

Landscaping details should include underground service routes. We can secure these via condition once the Landscape Plan is agreeable in principle.

The proposed landscaping is currently not agreeable in principle as the 6 new trees are not enough to compensate the removal of 8 existing trees and the retained trees are not accurately shown on the plan (too many shown).

In conclusion, the application is currently not supported in terms of landscaping due to an inaccurate landscape plan and not enough replacement planting provisions. Once these 2 matters are addressed, all other comments can be secured via condition.

**Planning Officer Note:** Following receipt of amended plans the Tree Officer provided the following further comments (28/5/24 further):

Previous Natural Environment comments relating to existing trees pointed to a number of necessary amendments to the submitted AMS, but concluded these could be secured via condition. However, comments relating to Landscaping raised an objection as *'the 6 new trees are not enough to compensate the removal of 8 existing trees and the retained trees are not accurately shown on the plan (too many shown).'* Comments relating to establishment and maintenance notes have also been provided.

With reference to the Proposed Site Plan Landscaping & Ecology Enhancement Drg. No. 02-12 Rev B, the following are noted:

Six additional new trees have been provisioned and the retained trees are now accurately drawn on the plan, which is positive and addresses the principle of our objection.

One of the new trees, in front of Unit 3 (within the 'private amenity space'), should be of a species with a small ultimate size given its proximity (approx. 2.5m) to the building façade. Unless heavily managed for size, I do not consider any of the proposed 5 new tree species appropriate for this location. A smaller tree species should be proposed, e.g. *Crataegus monogyna* or *Magnolia stellata*.

The proposed landscaping is now agreeable in principle, but a few amendments are still necessary – we can secure these via condition.

As we have no other objections, the application is supported in terms of trees and landscaping, subject to conditions to secure landscaping details and to secure AMS amendments and an informative regarding soil/foundations.

### **Discussions with the agent**

6/9/23 – meeting and follow-up email. The officer identified that the original design of the proposed new detached dwelling was not considered to be appropriate when viewed alongside the existing retained dwelling. A request for a more appropriate design was sought, whilst ensuring that the amenity of neighbouring residents was retained (the basis of reason for refusal no. 3 under ref: 221628 regarding loss of amenity to gardens for nos. 13 and 15 from perceived and actual overlooking). It was suggested that this could be achieved through:

- Further amendments to the internal layout to avoid habitable rooms to the first floor front; or
- Push part of the built form back which includes first floor habitable rooms, further from the rear of Circuit Lane properties to make an 'l'shaped building and perhaps widen to regain footprint to the side.

13/10/23 – meeting and follow up email in response to initial amendments - The following was discussed:

- Review the parking layout to improve the amenity to the front of the houses.
- Agent to make a case for not requiring a pavement as requested by Transport
- Amend the design of the detached dwelling to ensure that the internal layout focusses habitable rooms at first floor away from the front
- Submit the metrics for BNG
- Increase the number of bird/bat boxes and amend the locations
- Prepare a Financial Viability Assessment for non-compliant AH offer
- Resolving tree matters and provide an amended landscape plan

30/11/23 – meeting and follow up email, further to the receipt of amended information on 17<sup>th</sup> November 2023:

- Increased front gardens provides sufficient amenity space.
- Amended design is acceptable save for the windows. Additional side window required for the study/bedroom and for the other front facing bedroom use rooflights, high level side facing windows, frosting of some of the panes and additional planting to address reason for refusal 3 re overlooking/ perception of overlooking to 13&15 Circuit Lane.
- Information included in the revised DAS regarding amenity space, which is acceptable.
- Amended landscaping - Consider who will maintain landscaping to the front; some notations in the key are not on the plan, please amend; will still need to consult and you will need to ensure that issues raised in the consultations from Natural Environment and Ecology have been addressed.

6/12/23 – Amended plans received from the agent including:

- additional side windows, and obscured glazing at the front as well as additional planting to address the overlooking issue, whilst allowing natural light.
- The Landscaping plan has also been updated so the relevant notations are included in the plan as well as bird and bat boxes.

March 2026 – Amended plans received from the agent including:

- Retention of the existing single storey side extension.
- Re-siting of the proposed detached house closer to the southern boundary.
- Minor landscaping changes.

#### 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.

#### **4. RELEVANT PLANNING HISTORY**

**96/00764/FUL (960258)** - Two semi-detached two storey dwellings – Approved 6/3/1997 – It should be noted that there is no history regarding creating a single dwelling, which is the existing position. The period of time which has lapsed since it was built is beyond the period for enforcement.

**99/00195/FUL (992325)** - Build garage and workshop – Refused 3/7/2000 – It should be noted that there is no planning history approving a garage, which currently exists on site. The period of time which has lapsed since it was built is beyond the period for enforcement.

**220041/PREAPP** - Demolition of existing dwelling and erection of 5 new houses – Observations sent 28/2/2022 - *concerns raised regarding overdevelopment, crampedness and overlooking and conclusion that perhaps 2, maximum 3 dwellings – subject to scale - could be acceptable.*

**221628/FUL** - The alteration of 9a Circuit Lane into 2 dwellings (comprising demolition of extensions to the main dwelling) and the erection of 2 additional dwellings at the surrounding land – Refused 27/1/2023 for the following reasons:

*1. The proposed development, due to its scale, plot coverage and layout would represent a cramped form of development of the site which fails to accommodate buildings, parking areas and landscaping in a manner that enhances the character and appearance of the area. For these reasons, the proposals would result in overdevelopment of the site. The proposal is therefore contrary to Policies CC7 and H11 of the Reading Borough Local Plan 2019.*

*2. The proposed development, due to its incongruous and contrived form, massing and appearance fails to provide a high quality design with consequent harm to the character and appearance of the surrounding area. The proposal is therefore contrary to Policies CC7 and H11 of the Reading Borough Local Plan 2019.*

*3. The proposed development, due to its scale, siting and position of windows in relation to neighbouring private gardens to the front of the site along Circuit Lane, would result in overlooking and loss of privacy with consequent harm to the amenity of occupiers of those gardens. The proposal is therefore contrary to Policies CC8 and H11 of the Reading Borough Local Plan 2019.*

*4. The proposed development, due to the scale, layout and arrangement of the building on plot 2 (as annotated) would result in unacceptable overshadowing and overbearing effects on the rear*

*windows and garden area of plot 1. The proposal is therefore contrary to Policies CC8 and H11 of the Reading Borough Local Plan 2019.*

*5. The proposed development would not incorporate any windows other than rooflights to the bedroom in the roof accommodation of Unit 3 (as annotated) resulting in no outlook with consequent harm to the quality of living accommodation for future occupiers. The proposal is therefore contrary to Policy CC8 of the Reading Borough Local Plan 2019.*

*6. The proposed development would fail to provide sufficient amenity space for each dwelling that respects the prevailing size and character of other similar spaces in the vicinity. The proposal is therefore contrary to Policies CC7, H10 and H11 of the Reading Borough Local Plan 2019.*

*7. The proposed development fails to demonstrate that there would be no harm to existing trees on site and fails to demonstrate acceptable provision of replacement tree planting and landscaping with consequent harm to the visual amenity, biodiversity and environmental quality of the area. The proposal is therefore contrary to Policies CC7, EN14 and H11 of the Reading Borough Local Plan 2019.*

*8. The applicant has failed to submit sufficient information for the Council to determine whether or not bats and reptiles would be adversely affected, with consequent failure to demonstrate there would be no adverse effect on wildlife and protected species and the ecological value of the site. The proposal is therefore contrary to Policies EN12 and H11 of the Reading Borough Local Plan 2019.*

*9. In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough. The proposal is therefore contrary to Policies H3 and CC9 of the Reading Borough Local Plan 2019 and the Council's Adopted Affordable Housing Supplementary Planning Document 2021.*

## **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) which states at Paragraph 11 *"Plans and decisions should apply a presumption in favour of sustainable development"*.

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

- National Planning Policy Framework 2023
- National Planning Guidance 2014 onwards

The relevant sections of the NPPF are:

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 15 - Conserving and Enhancing the Natural Environment

Reading Borough Local Plan 2019

CC1: Presumption in Favour of Sustainable Development

CC2: Sustainable Design and Construction

CC3: Adaptation 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

EN12: Biodiversity and the Green Network

EN14: Trees, Hedges and Woodland

EN15: Air Quality

EN16: Pollution and Water Resources

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

RBC Supplementary Planning Documents

Affordable Housing SPD (2021)

Revised Parking Standards and Design SPD (2011)

Revised SPD on Planning Obligations under Section 106 (2019)

Sustainable Design and Construction SPD (2019)

Other relevant documentation / guidance / legislation

Reading Tree Strategy (2021)

Biodiversity Action Plan (2021)

National Design Guide: Planning practice for beautiful, enduring and successful places (2019)

## **6. APPRAISAL**

The main issues to be considered are:

- a) Land Use Considerations
- b) Design and Character
- c) Housing Density and Mix
- d) Impact on Amenity
- e) Trees, Landscaping & Ecology
- f) Access/Transport/ Parking
- g) Sustainability
- h) S106 (Affordable Housing) & Community Infrastructure Levy

#### **a) Land Use Considerations**

Paragraph 123 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 is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.”* The definition 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 gardens land is unacceptable in principle, rather that previously developed land should be the first choice for housing development.

The principle of the development would, therefore, need to be assessed in terms of the requirements of the National Planning Policy Framework (NPPF) paragraph 72 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 (Development of Private Residential Gardens) requires that new residential development that involves land within the 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;*
- 9) *The proposal does not prejudice the satisfactory development of a wider area.*

Therefore, whilst the proposed site is not 'previously developed land', the principle of redevelopment could be acceptable providing the criteria outline in Policy H11 is satisfactorily met.

The proposal is considered to meet the criteria of Policy H11 and other relevant policy considerations and addresses the previous reasons for refusal under ref: 221628 as set out below.

**b) Design and Character**

The National Planning Policy Framework (NPPF) states that permission should be refused for development with poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

The National Design Guidance identifies 10 key components for good design and of particular note is the characteristic of 'Context' and it states that "*well designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It should enhance positive qualities and improve negative ones.*" Additionally, there is specific reference to "views inwards and outwards".

At the local level RBLP Policy CC7: Design and the Public Realm, requires all development to be of a "*high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located.*"

Policy H11, set out above, includes a range of criteria for assessment of new residential development that includes land within the curtilage or former curtilage of private residential gardens.

The character of the area largely comprises two storey semi-detached dwellings, a mix of those with traditional appearance with front bay features and materials of red brick and slate roofs and some with a more modern appearance. Properties have good sized front gardens and long back gardens, albeit nos. 11a, 11b, 11, 13 and 15 have smaller rear gardens as the application site is existing backland development, using part of their original gardens.

Immediately to the rear of the application site are allotments, beyond which are groups of two storey terraced dwellings with more modest rear gardens. The area is relatively verdant.

To the north is a commercial premises with a car park abutting the application site.

The land to the north and east is at a much higher level than the application site. There is a slight slope up from Circuit Lane to the level of the application site.



*Existing front of the detached dwelling*



*Towards the rear of Circuit Lane houses (steep bank to the right)*

*Front garden area*

The existing detached dwelling comprises two front projection gable ended bays with ground floor bays and a pitched roof over a recessed doorway.

The proposal would extend this to the north, replicating the existing design and then subdivide this to create two dwellings of the same height. The new detached dwelling would be of a very similar design and similar footprint, but would be smaller in height.

There would be front and rear gardens to units 1 and 2 and front, side and rear to the new dwelling (unit 3). There would be a combined parking area for all 3 units to the front, landscaped boundaries and new landscaping to replace trees and other landscaping which would require removal to allow for the proposed development.

The proposal would represent tandem development, which Policy H11 seeks to resist, however, the existing dwelling is also tandem development, and, therefore, the general principle in this respect is already accepted in this location.

The previous refused scheme comprised three additional dwellings (i.e. four in total), and it was considered that this would create a cramped form of development detrimentally affecting the

character and appearance of the area and comprising over development of the plot (Rf R 1). This application includes one fewer dwellings, which has enabled better set off to the boundaries, specifically to the north, and a consistent front building line, in line with the existing dwelling.

The garden areas for the dwellings have been increased, compared to the refused scheme, and along with the requirement for fewer parking spaces means that there is a better balance between amenity space and parking, the latter less dominating. Along with the proposed landscaping and tree planting, the proposed scheme is considered to overcome this reason for refusal.

Reason for refusal two related to poor design in terms of the massing and appearance considered to create an incongruous and contrived form. This was specifically related to the additional dwellings to the north of the existing house as can be seen in the refused elevations below.

The proposed scheme (below right) has reduced the number of dwellings and has simplified the appearance with a consistent roof form and the new detached dwelling at a slightly smaller height such that it is considered that this reason for refusal has been overcome.



Refused front elevation



Amended proposed front elevation

At the pre-application stage, and also referenced in the officer report for the previous refused scheme, it was advised that any additional detached dwelling should be single storey. The original submission (elevation below) under this application included a single storey house, but it was considered that this created a poor relationship to the existing dwelling and the design was not complementary.



*Original submission*

Concerns were raised regarding loss of privacy and overlooking from a two-storey house, specifically for nos. 13 and 15 Circuit Lane and this is addressed in the amenity section below.

The materials would appear to reflect materials used in the locality and are acceptable.

The site is a sizeable plot and an anomaly in the area in terms of the density of development on the plot. Overall, it is considered that there is enough space for the three dwellings with a suitable balance between built form, parking, amenity space and landscaping such that the site would not be overdeveloped, thereby overcoming previous issues and would preserve the character and appearance of the area and accord with Policy CC7.

**c) 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 proposal is for two four bedroom houses and one 3 bedroom dwelling, which would accord with the policy and with a plot density, which would accord with existing density patterns within the area.

**d) Impact on Amenity**

Neighbouring Amenity

Policy CC8 (Safeguarding Amenity) 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.

Given the distances to properties to the north, whilst visible, no material overbearing effects or loss of privacy are considered to arise.

Similarly, given the distance from the proposals to the rear of the properties themselves along Circuit Road to the west, no material overbearing impacts are considered to arise.

Under the previous scheme it was considered that there would be a harmful impact from the proximity of the proposed dwellings to the rear of the gardens of the properties facing Circuit Lane, and in particular nos.13 and 15. The amended proposal includes a combination of measures to the new detached dwelling including side facing windows, roof lights, some obscure glazing to the front first floor bedroom and to side facing (southern) windows, and additional planting to the boundary, which will be conditioned. It is considered that this would be sufficient to ensure no significant detriment to amenity, and would minimise the direct view from the proposed new detached dwelling of those gardens. In terms of the one side facing bedroom window this would look towards the rear of the long garden of no.15, and would be at a point where there is existing/proposed tree planting/landscaping and, therefore, it is considered that there would not be significant detrimental harm with respect to overlooking. There would be ca 32.7m between the proposed detached dwelling and the rear of no. 15 and ca 34.1m to the rear of no. 13. It is considered that this would be sufficient distance to not create a significant detrimental effect in this regard and would be very similar to the existing arrangement, which exists between the existing dwelling and those properties. It is considered that this has addressed the previous reason for refusal no. 3.

The construction phase of the proposed development would also have potential to impact on the amenity of surrounding occupiers. Conditions are included to secure the submission and approval of a construction method statement, control construction hours and no bonfires.

#### Amenity of Future Occupiers

Policy H5 (Standards for New Housing) seeks that all new housing is built to high standards. Policy EN16 (Pollution and Water Resources) seeks to protect future occupiers from the impacts of pollution and Policy H10 (Private and Communal Outdoor Space) seeks that residential developments area provided with adequate private or communal outdoor amenity space.

Internally, the floor spaces would comply with the space standards as set out in Policy H5.

The reduction of the scheme from four to three units compared to the previous refused scheme has led the building lines to be consistent and, therefore, there would be no overshadowing or overbearing effects between the proposed units, thereby addressing reason for refusal no. 4.

A rear window has been provided to the second-floor room of Unit no. 2 (previously no. 3), which addresses reason for refusal no. 5.

Policy H10 deals specifically with private and communal space and requires such space to allow for sitting out, children's play areas, home food production, green waste composting, refuse storage, drying space. *"The design of outdoor spaces will respect the size and character of other similar spaces in the vicinity"*.

The amended scheme has increased the amount of amenity space such that the total provision per dwelling is considered acceptable (Unit 1 – 183sqm; Unit 2 - 184sqm; and Unit 3 – 161sqm) and would accord with the overall prevailing size and character of other similar spaces within the vicinity. This is set out in the amended Design and Access Statement. This is considered to address reason for refusal no. 6.

Comments received from neighbour consultation also included concerns regarding noise and air pollution from cars and an increase in traffic. It is not considered that a proposal to increase the number of new dwellings by two would generate a substantial increase in traffic and, therefore, it is not considered that this would significantly affect the level of noise and air pollution to such a degree that it would warrant refusal on this basis.

The scheme is considered to accord with Policies CC8, H10 and H11.

#### **e) Trees, Landscaping & Ecology**

##### Trees/Landscaping

Policy EN14 (Trees, Hedges and Woodland) seeks to extend the Borough's vegetation cover and that development should make provision for tree planting whilst Policy CC7 (Design and the Public Realm) seeks proposal should include appropriate landscaping. Proposals should demonstrate an appropriate level of greening and/or net gain in the tree number.

There are a number of trees within the site and around the site. The proposal includes the removal of six trees and the replacement with fifteen trees, new hedging and shrubs. As a result of neighbour comments an amended plan was submitted (30/4/26) excluding the originally indicated

Leylandii (plants now removed) on an adjacent site and proposed three trees within the site in that general location.

The proposed landscaping and tree planting scheme is considered to be acceptable in terms of visual amenity and levels of landscaping and tree planting. However, further detail is required, and a condition is, therefore, included for the submission and approval of a final landscaping scheme. The proposal is, therefore, considered to accord with Policies CC7, EN14 and H11 of the Reading Borough Local Plan 2019.

It is considered that reason for refusal no. 7 has been adequately addressed.

### Ecology

Policy EN12 (Biodiversity and the Green Network) seeks that developments should retain, protect and incorporate features of biodiversity.

The site is surrounded by habitats of good wildlife value, including woodland within Devil's Dip Local Wildlife Site (LWS) 60m to the northwest, Circuit Lane allotments directly to the rear and Prospect Park (LWS) 130m north.

An updated ecology report, compared to that submitted with the refused scheme, concluded that the site is not considered to be suitable for badgers, otters or other protected species. However, neighbour comments reference the presence of badgers on site and, the Ecology Officer has also advised that as there is a very small chance that there may be reptiles on site and the vegetation on site is likely to be used by nesting birds, therefore, a condition is recommended to ensure that a Construction Environment Management Plan for Biodiversity is implemented.

The applicant submitted the relevant Biodiversity Net Gain Metric spreadsheet and although the Ecology Officer did not agree with the calculation and the level of net gain, on running a corrected version of the metric they concluded that the proposals, which would comprise a number of new trees, hedging and a change of hardstanding areas to private gardens, would still result in a (smaller) net gain for biodiversity, which would accord with Policy EN12.

The amended details show integral bird and bat boxes and a compliance condition will be included. The biodiversity enhancements, shown on the submitted plans, are considered acceptable and in accordance with Policy EN12.

A further condition is included to restrict external lighting without prior approval.

The proposed scheme and information submitted is considered to suitably address reason for refusal no. 8.

### **f) Access/Transport/ Parking**

Policies TR1 (Achieving the Transport Strategy), TR3 (Access, Traffic and Highway-Related Matters) and TR5 (Car and Cycle Parking and Electric Vehicle Charging) seek to address access, traffic, highway and parking relates matters relating to development.

### *Parking*

The amended proposal shows six car parking spaces for the proposed three dwellings with three EVCP, which accords with Policy TR5. The size of the bays accords with the Council's standards. Compliance conditions are included for the parking and EVCP.

### *Access*

The Transport raised matters with regard to the need for the proposed shared access to be a minimum of 4.1m and that a 1.8m wide pedestrian footway should be provided, or at the very least 1.2m if there is a landscaped strip to be retained. The amended plan shows a 4.1m wide accessway, however, no pedestrian footway is shown, instead the use of a shared surface. It is considered that, as an access serving three dwellings only, there would be limited safety concerns with this being shared by pedestrians and vehicles. A condition is included to provide and retain this accessway.

The Transport Officer also requested clarification as to whether gates would be included, and if so, these would need to be a minimum of 5m into the site. The existing gates would be retained and are set in from the highway by 10m.

### *Cycle Storage*

Cycle storage is shown for each of the proposed units. Transport has requested that this should be in the rear garden for each unit. However, it is not considered that the provision of a shed within the private secure amenity space of the proposed Unit 3, albeit within the area to the front of the dwelling, would raise any security issue as it would be a fenced area. A condition requiring the provision and retention of cycle storage is included.

### *Bin Storage*

The amended plan shows a central bin collection point near the access and the highway and a condition is included.

Subject to the above conditions the scheme is considered to accord with Policies TR1 and TR5.

## **g) Sustainability**

Policy H5 (Standards for New Housing) requires that all new build housing integrate additional measures for sustainability.

Conditions are recommended to ensure the development meets the following requirements:

- Higher water efficiency standards of 110 litres per person per day; and
- A 19% improvement over building regulations energy requirements

Although secured by planning condition, these new requirements would be administered through the Building Regulations, with confirmation of compliance submitted to the LPA to discharge the condition.

## **h) S106 (Affordable Housing) & Community Infrastructure Levy**

### S106

Policy CC9 (Securing Infrastructure) requires infrastructure, services, resources, amenities or other assets lost or impacted upon as a result of the development or made necessary by the development to be provided through direct provision or financial contributions at the appropriate time.

Policy H3 (Affordable Housing) requires for this scale of development to provide for an off-site affordable housing contribution equivalent of 10% of the GDV of the development (50/50% split - developer/registered social housing provider).

A viability assessment was submitted, which set out that there was insufficient viability to pay any affordable housing contribution. Further to independent review by a consultant, on behalf of the Council, and negotiation with the applicant it was confirmed and agreed that a financial contribution of £40k should be made. A S106 has been signed and this includes the contribution along with a deferred payment mechanism. The proposal is, therefore, in accordance with Policies H3 and CC9 of the Reading Borough Local Plan 2019. This overcomes reason for refusal no. 9.

### CIL

The proposal would be a Community Infrastructure Levy (CIL) liable development. The applicant has provided the CIL Additional Information Form. The amount (based on 2024 CIL rate) would be estimated to amount to £25,386 (409m<sup>2</sup> of the proposals – 78m<sup>2</sup> (buildings to be demolished) x £183.969 2025 indexation). An informative is included to advise the applicant of their responsibilities in this respect.

## **7. CONCLUSION**

There would be planning benefits associated with the provision of two additional family sized units along with a contribution towards affordable housing and enhanced landscaping. It is considered that the limited effects in terms of any overlooking/ loss of privacy/ perceived loss of privacy would be outweighed by such benefits and the scheme is, therefore, recommended for approval.

## **8. RECOMMENDATION**

### **GRANT subject to conditions and S106 legal agreement:**

#### Recommended Conditions:

- Standard Time Limit
- Approved Plans
- Materials
- CEMP
- CMS
- Construction Hours
- No Bonfires
- Unidentified Contamination
- Vehicle Parking



- EVCP
- Cycle parking
- Refuse and Recycling
- Hard and Soft Landscaping
- Arboricultural Method Statement and Tree Protection Plan
- Biodiversity Enhancements
- External Lighting
- SAP Design Stage
- SAP Final
- No PD rights for extension to roofs and outbuildings (Classes B and E)
- No PD rights for change of use to C4 small HMO
- No new openings
- Obscure Glazing