

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO. 15

PLANNING APPLICATIONS COMMITTEE: 18 July 2018

Ward: Norcot

App No: 180849/OUT

Address: Land Adjacent Thorpe House, Colliers Way, Reading

Proposal: Outline application for residential redevelopment to provide a maximum of 14 dwelling units. Demolition of dwelling at 16 Kirton Close to provide access. (Appearance, Landscaping, Layout and Scale reserved for future consideration).

Applicant: Thames Valley Retirement Homes

Date valid: 6 June 2018

Application target decision date: 5 September 2018

26 week date: 5 December 2018

RECOMMENDATION

REFUSE Outline Planning Permission for the following reasons:

1. The proposed development would result in the loss of open space that has not been previously developed and which makes a positive contribution to the character, appearance and environmental quality of the area due to its openness, undeveloped character and green vegetated appearance. As such the proposed development would be contrary to Policies CS7 and CS28 of the Reading Borough LDF Core Strategy 2008 (altered 2015).
2. The amount of development proposed within the main body of the site would require a scale of building (or buildings) that would appear as an incongruous, jarring and poorly integrated feature within the context of the notably modest scale of development in adjacent streets. The minimal distance that would be likely to exist between the building(s) and north eastern and south western site boundaries would result in an overly cramped appearance, further adding to the visual harm. For these reasons the development would represent an overdevelopment of the site, fail to respond positively to its local context, and fail to reinforce local character and distinctiveness. The proposal would therefore harm the character and appearance of the area, contrary to Policies CS7, CS15 and CS28 of the Reading Borough LDF Core Strategy 2008 (altered 2015).
3. The proposed removal of the dwelling at 16 Kirton Close and its replacement with an access roadway and vehicle parking area would result in the loss of continuity and enclosure within the established street scene which is characterised by a regular built form of a distinctive style and appearance. The proposed access would result in a disjointed and visually stark arrangement of access road and vehicle parking to the detriment of the existing streetscene and contrary to Policy CS7 of the Reading Borough LDF Core Strategy 2008 (altered 2015).

4. The proposal would generate traffic crossing an existing footpath / cycle path, without giving priority to pedestrians and cyclists. This would result in an increased risk of accidents to users of the footpath and would be in conflict with Core Strategy Policy CS20 and Sites and Detailed Policies document Policy DM12.

5. The proposal includes the unnecessary and unjustified removal of a TPO-protected tree of amenity value (Norway Maple T1 of TPO; T540 of tree survey) at the northern corner of the site. As such the proposal fails to preserve and not harm the character and appearance of the site and area within which it is located, including the wider contribution to visual amenity provided by mature trees. The proposals are therefore contrary to Policies CS7, CS38 and DM18.

6. The application fails to demonstrate that the proposed amount of development can be accommodated without harm to the amenity of occupiers of neighbouring dwellings caused by a loss of privacy to windows and gardens due to overlooking; overbearing effects resulting from the likely scale and proximity of the building; and disturbance from vehicle movements adjacent to Thorpe House. As such the proposal is contrary to Policies DM4 and CS15.

7. The application fails to demonstrate that the proposed amount of development can be accommodated in a manner which provides adequate outlook, daylight, sunlight and private outdoor amenity space for future occupiers. As such the proposal would be harmful to the amenity of future occupiers, contrary to Policy DM4.

8. 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 and the objective of creating mixed and balanced communities and as such is contrary to Policy CS16, Affordable Housing Supplementary Planning Document (2013) and para. 50 of the NPPF.

9. In the absence of a completed legal agreement to secure an acceptable mitigation plan or equivalent contribution towards the provision of Employment, Skills and Training for the construction phase of the development, the proposal fails to contribute adequately to the employment, skills or training needs of local people with associated socioeconomic harm, contrary to Policies CS3, CS9, DM3 and the Employment Skills and Training SPD (2013).

Informatives

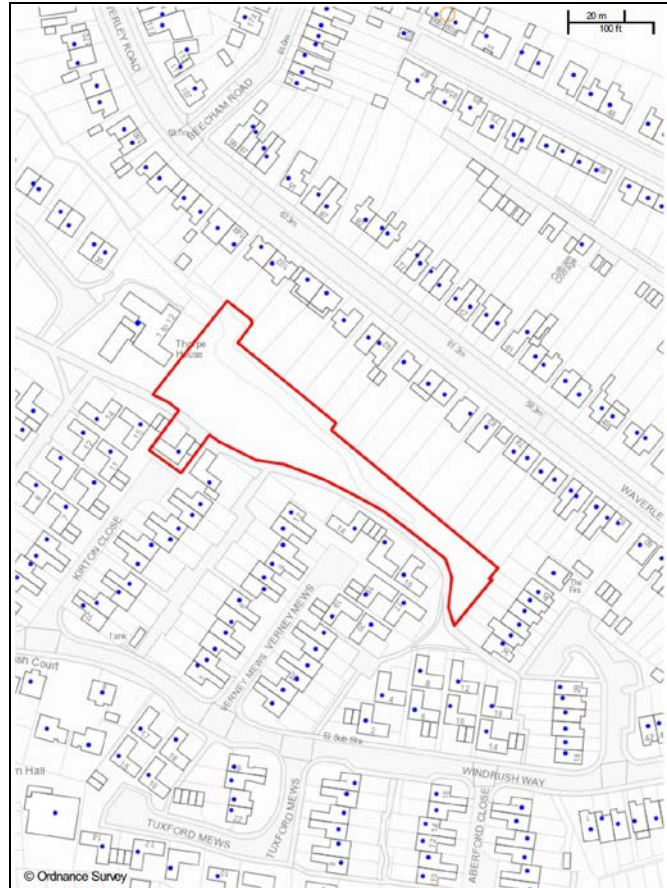
1. Positive and Proactive Approach
2. Refused Drawings

1. INTRODUCTION

- 1.1 The site is located at the edge of an estate of mid-twentieth century housing to the north of Water Road. The site lies to the rear of Thorpe House, a two-storey block of flats. An embankment exists to the northern edge of the site, rising to meet the rear garden boundaries of houses in Waverley Road.
- 1.2 A public footpath runs to the southern edge of the site serving as a traffic free route linking the residential streets within the estate, which are arranged perpendicular to the path to the south.
- 1.3 The application site itself comprises open land with mown grassed areas along the footpath with overgrown areas towards the embankment. The embankment is well treed, including a number of trees subject to a TPO close to Thorpe House. At the

time of writing the land was in the process of being enclosed by a hoarding comprising timber sheets attached to timber posts secured into the ground by concrete.

- 1.4 The site also includes a section of the public footpath and the entire curtilage of number 16 Kirton Close, a bungalow.



Site location plan



Site Photograph (18 June 2018) - view north west towards Thorpe House

2. RELEVANT PLANNING HISTORY

- 131179/PREAPP - Pre-application enquiry relating to proposed 2 x three bed, five person linked dwellings and 2 x three bed, four person dwellings (one linked plus one pair of semi's). Use of amenity area for recreational use). Observations sent.
- 161305/PREAPP - Proposed residential development - Observations sent
- 162105/CLP - Erection of fence, not exceeding 2 metres in height above ground level, around perimeter of open space. Certificate of Lawfulness granted.
- 171219/OUT - Outline application for residential redevelopment to provide a maximum of 18 dwelling units. Demolition of dwelling at 16 Kirton Close to provide access. (Appearance, Landscaping, Layout and Scale reserved for future consideration). Refused (PAC 6 December 2017)

3. PROPOSALS

3.1 Outline Planning Permission is sought for up to 14 dwellings.

3.2 'Appearance', 'Landscaping', 'Layout' and 'Scale' are reserved for future consideration (see Appendix 1 for further details of these). The applicant has submitted a set of indicative drawings showing how the proposed 14 dwellings might be accommodated within the site. The drawings indicate two blocks of flats of two storeys orientated parallel to the existing footpath with an approximate ridge height of 10 metres.

3.3 Access is proposed for consideration at Outline stage (the current application) and is shown as being achieved through the demolition of the existing bungalow at 16 Kirton Close and provision of a new access and parking area (18 parking spaces) as a continuation of Kirton Close.

3.4 Information Submitted with the Application:

Drawings

PL-100B Location Plan, received 26 June 2018

SK-1401E Proposed Site Layout, received 26 June 2018

SK-400C Proposed Front Elevation (indicative) received 24 May 2018

Documents

Arboricultural Method Statement by ROAVR dated 18 May 2018

Ecological Appraisal 2763.F0 dated 30 May 2017

Transport Statement 40574/5501/TS002 Rev: V3.0 Dated 21 March 2018

Design and Access Statement Rev B dated May 2018

Preliminary Drainage Strategy by STM Environmental, dated 29 March 2018

4. CONSULTATIONS

Thames Water

4.1 Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water TW would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please

refer to the website: <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

- 4.2 We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing: wwqriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.
- 4.3 Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, TW would not have any objection to the above planning application, based on the information provided

Water Comments

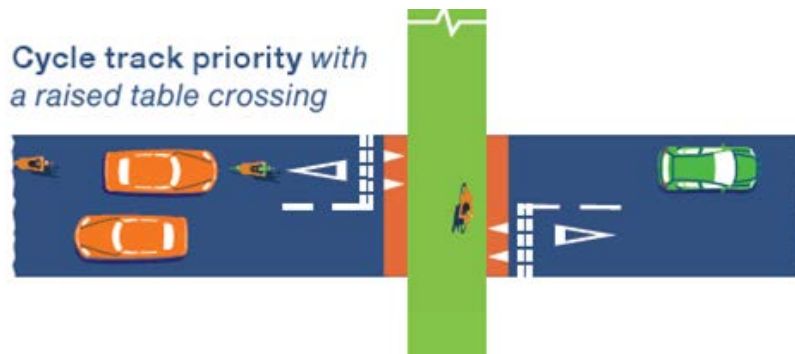
- 4.4 On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, TW would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

RBC Transport

- 4.5 This application consists of a residential redevelopment to provide a 14 x 1 & 2 bedroom units which includes the demolition of a dwelling at 16 Kirton Close to provide access to the site and parking area. This application has been assessed on the basis of the description being standard residential units.
- 4.6 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, the development would be required to provide a parking provision of 1.5 parking spaces for each residential unit which would equate to 21 parking spaces. In addition to this 1 visitor space per 4 dwellings is also required therefore the total number of spaces required for the development would be 26. Plans submitted illustrate off road parking provision for 18 cars which falls short of the Council's standard.
- 4.7 Plans indicate that vehicular access to the site is proposed to be gained via Kirton Close, following the demolition of an existing residential dwelling. The level of movement created by the proposed units caused concern regarding the potential interaction between pedestrian traffic/cycles and vehicles. Priority of right of

way should be that of pedestrians and cycles using the footway and not vehicles otherwise it would be detrimental to the safety of pedestrians using the public footway.

- 4.8 Having viewed car ownership statistics on a ward level, the car ownership figures stated in the Applicant's Transport Statement are acceptable; therefore Transport do not have any concerns regarding the proposed level of provision; however the issue regarding the access point still remains. A comparison was made by the Applicant between Dee Park development and this application site; however Dee Park had existing roads and car parking areas with access point to parking areas which were also used as informal crossing points. Dee Park however has additional dedicated path(s), which would accommodate the main pedestrian footfall and therefore remove the need for pedestrians to cross at these facilities. For this application, the path in question is a main path and as such should be given priority over vehicular traffic. The layout should therefore be provided as illustrated below, (the applicant has been advised of this previously); a similar design has been included within the Transport Statement as a potential option.



- 4.9 The trip rate data has been assessed and it is noted that some of the sites selected are not comparable to the application site and one has been removed from TRICS altogether. However, Transport have reviewed TRICS and the trip rates Transport have calculated are similar to those provided by the applicant and therefore Transport are satisfied that they represent a comparable level of trips for the proposed development. The level of trips would be an insignificant increase within the peak periods and therefore is deemed acceptable.
- 4.10 The driveway access to the rear of the parking bays has been illustrated at 7.5m in width which is in excess of the 6m forecourt depth required to accommodate access and egress to the parking bays themselves. This is also well in excess of the 4.8m width specified within Manual for Streets to accommodate a car passing a larger vehicle.
- 4.11 The tracking diagrams also appear to suggest a realignment of the kerb edge on the Western side of Kirton Close, however this will impact on the parking areas for 11-17 Kirton Close which does not appear to have been assessed. It would also need to be assessed whether any realigned road layout would be able to accommodate the turning of a delivery vehicle, although it is appreciated that a new turning area is proposed within the site this would be on non-adopted land and therefore a turning area must be retained.
- 4.12 There is an existing Lamp Post close to the proposed location of the access point on Kirton Close. Any costs relating to the relocation of the lamp column would be

met by the Applicant following the application of a licence from the Highways Departments and communication with the utilities company.

- 4.13 As previously advised there are trees on the proposed development site and therefore the Natural Environment Officer will need to be consulted with regards to development on site that would affect the tree roots of these trees.
- 4.14 Tracking diagrams have been provided and this identify that a suitable turning area can be provided on the site.
- 4.15 In accordance with the Council's Parking Standards and Design SPD, a 1/2 bedroom flat should be provided with 0.5 secure and covered cycle storage spaces and a development of 14 x 1-2 bedroom flats should be provided with 7 storage spaces. The Design and Access statement confirms that the development will be provided with 14 secure cycle parking which exceeds the Councils standard.
- 4.16 The bin storage and collection area have been illustrated on submitted plans. Bin storage 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. It is recommended that the Councils Refuse and Waste Management team should be contacted to ensure the correct capacities of bins are provided.

RBC Natural Environment - Trees and Landscape

- 4.17 With reference to Proposed Site Plan SK-101E and Arboricultural Method Statement dated 18 May 2018 from ROAVR:
- 4.18 The site is subject to TPO 42/14 which includes 5 trees (4 Acer and 1 Quercus).
- 4.19 The site plan labels 'Replacement Specimen trees' in the north corner of the site without making reference to the proposed removal of these two TPO trees (T1 & T2 of TPO) and refers to 'crown reduction existing TPO trees' with reference to two off-site trees in the Waverley Road gardens, neither of which are included in the TPO. The site plan should include clear, accurate information.
- 4.20 The AMS refers to Site Plan Rev D when Rev E has now been submitted. Having compared the two plans, there appears to be little difference so from an arboricultural point of view the change is not significant. The AMS recommends the removal of T1 & T2 on arboricultural grounds but confirms that neither require removal to implement the proposals as shown. However the previously submitted AIA (under 171219/OUT) (starting on Page 23 of the AMS) states that (5.2) 'Trees T1 and T2 may require removal to facilitate any new construction to the south of the existing footprint as it would prove problematic to avoid the suggested root protection areas'. Following receipt of the AIA last year, T1 (T540) & T2 (T541) were assessed and it was agreed that it would be reasonable to remove T2 due to its poor condition, but that T1 should remain. As the removal of T1 is not necessary in order to implement the scheme as shown, it is considered that its removal is not justified and it would be inappropriate to grant permission for its removal.
- 4.21 The Tree Protection Plan (TPP) has a label stating 'offsite trees categorised G4' for the trees in the Waverley Road gardens (92-96) but does not show these (despite the Site plan showing these) and does not include G4 in the tree survey table of the AIA. It is noted that the site plan states 'crown reduction' of these trees but no further information is provided; they do not appear to be so close as

to warrant a reduction. Clarification is required. If pruning is justified, I would expect this to be included in the AIA or AMS.

- 4.22 As stated for the previous application, RBC Natural Environment are not comfortable leaving layout and landscaping (particularly the former) given the tree constraints/issues on site.

RBC Ecologist

- 4.23 The application site comprises an area of land to the rear of Thorpe House on Colliers Way, containing amenity grassland, scrub and woodland with a public footpath along the southern boundary. It is proposed to construct up to 18 dwellings as well as demolish 16 Kirton Close to provide vehicular access. The results of the Preliminary Ecological Appraisal (ECOSA, ref: 2763.D0, May 2017) are discussed below.

Bats

- 4.24 Although the house at 16 Kirton Close has not been assessed in the preliminary ecological appraisal for its bat roost potential, it is unlikely that the house could support roosting bats as it is a flat-roofed single-storey building unlikely to have features potentially suitable for use by roosting bats.
- 4.25 The preliminary ecological appraisal confirms that the trees on site have no features suitable for use by roosting bats. Overall, however, the report concludes that the site is of "moderate" suitability for use by commuting or foraging bats. As such, it is recommended that a bat-sensitive lighting scheme and other enhancements (native planting and bat roosting provision) are incorporated into the development to ensure that despite a loss of grassland and scrub, the favourable conservation status of bats may be maintained.

Other protected species

- 4.26 Located within an urban area (and isolated from Palmer Park by a number of residential roads and garden boundaries), the site is of limited value to badgers, reptiles or great crested newts (GCN), and no evidence of these species was recorded during the preliminary ecological survey. However, the scrub and trees on site may be used by nesting birds, and any vegetation clearance must be undertaken outside of the bird nesting season to ensure that they are not harmed or disturbed during the works.
- 4.27 In addition, the site possesses, and is connected to, habitat suitable for use by hedgehogs. As such, an appropriate landscaping scheme should be submitted to include details of how hedgehogs will be able to continue to travel across the site, as well as the locations of any hedgehog houses (as suggested in the ecological report).

Summary

- 4.28 There is a risk that the development may impact upon nesting birds, commuting and foraging bats, and hedgehogs (protected and priority species). The preliminary ecological appraisal recommends a number of precautionary measures that, if implemented, would safeguard said species. Subject to the conditions below, there are no objections to this application on ecology grounds.
- Condition 1: Landscaping details, to include biodiversity enhancements and routes for wildlife.
- Condition 2: Lighting scheme to be submitted demonstrating that the external lighting will not adversely impact upon commuting and foraging bats or other wildlife.

Condition 3: Vegetation removal and other works that may disturb active bird nests is to be undertaken outside the bird-nesting season (March - August inclusive).

RBC Parks

- 4.29 The area of land to the east of Thorpe House does provide a sense of openness and some visual amenity. There is clearly a contribution made to the feeling of openness by this site and building on it is likely to have a negative impact on the visual amenity. What the area is crying out for is an improvement in the way space is managed and maintained locally.
- 4.30 The under-management/maintenance of the site prevents the value of this area being realised. There appears to be a historic but not excessive problem with fly-tipping or disposal of waste. There is some material present on site but given the way much of it is overgrown, it would appear the issue is more about failure to maintain the area or remove rubbish than this being an extensive problem.
- 4.31 The area to the extreme east would not be suitable for a play area of any meaningful size or be able to support extensive use given its close proximity to housing. There would be a difficulty in ensuring adequate buffer zones for the existing neighbouring properties are met given the constraints with the shape of the land. It is suspected that designing a safe space that is adequately overlooked would also be difficult.
- 4.32 Assuming that the proposal is for 14 residential dwellings, given the configuration of the site and the narrow strip of land identified as public open space to the east of the proposed dwellings, the provision of both a LAP and LEAP is not possible in this instance. It is totally unsuitable for a children's play area and given its close proximity to existing housing, does not comply with recommended guidelines. Ideally, open space should be an integral part of any development, usually forming a central feature and overlooked by the fronts of houses. Given the constraints with this awkwardly shaped and leftover area of land, should the development be permitted, the only suitable option would be for the land to be laid to grass, landscaped and maintained (not by the Council) by a management company as public amenity space. But even this would be problematic given the history of the site.
- 4.33 The provision of meaningful play areas on site is therefore not achievable and so we will be seeking a financial contribution by way of a Section 106 agreement towards off-site provision at nearby Prospect Park, which will serve the needs of the new residents.

RBC Anti-Social Behaviour Team

- 4.34 Advice given under 171219/OUT was as follows
"There have been no area-based ASB reports recorded between Jan 16 and now (Waverley Road, Kirton Close, Colliers Way).
- 4.35 This area has not been on the ASB team radar at all for ASB - the last time was about 10 years ago."

[Officer note: The ASB team have made a number of visits to the site in recent weeks due to complaints regarding the behaviour of persons erecting the timber fence.]

Berkshire Archaeology

- 4.36 There are no archaeological issues with this application as the site is located within the area of the Brick and Tile works and quarry pits which are likely to have removed any archaeological deposits in this area.

RBC Environmental Protection

Contaminated Land

- 4.37 Where development is proposed, the developer is responsible for ensuring that development is safe and suitable for use for the intended purpose or can be made so by remedial action.
- 4.38 The development lies on the site of an historic brick field which has the potential to have caused contaminated land and the proposed development is a sensitive land use.
- 4.39 Ideally a 'phase 1' desk study should be submitted with applications for developments on sites with potentially contamination to give an indication as to the likely risks and to determine whether further investigation is necessary. This was not submitted.
- 4.40 Investigation must be carried out by a suitably qualified person to ensure that the site is suitable for the proposed use or can be made so by remedial action.
- 4.41 Conditions to secure further investigation and remediation are recommended to ensure that future occupants are not put at undue risk from contamination.
- 4.42 Conditions restricting hours of construction, and controls on noise, dust and bonfires during construction are recommended.

Ward Councillor Response

- 4.43 Norcot ward councillors confirm that they object to the application:
"Norcot ward councillors are opposed to this application for the following reasons:
- *We believe this would lead to an unacceptable loss of green space enjoyed by many local people. The amenity space is enjoyed by a wide range of local people but is particularly important to the families living in the flats of Thorpe House.*
 - *We believe it is unacceptable for access to these flats and its parking to cross a well used footpath which is a public right of way. This is a footpath often used as a safe route to school by local children. We believe this vehicular crossing of a well-established right of way would be unsafe.*
 - *We object to any development of this piece of land but also believe this is a significant over development with too much squeezed on too small a site*
 - *We do not believe that Kirton Close is a suitable access road for the flats and that could be an unsafe change to a road designed as a cul-de-sac."*

Public Consultation Responses

- 4.44 33 Objections and one letter of support have been received. Summarised below:
- Traffic through Kirton Close - disturbance and hazard to existing residents.
 - Pupils of at least 6 schools use the pathway behind the close as safe access to these schools. The proposed development would prove dangerous during the construction work and after completion.
 - The access would cross a public footpath used by children.

- The small area of green is the only place left in the vicinity for wildlife. Small children also use the green and pathway for play. Green lung. Green space disappearing far too quickly.
- The land provides a pleasant, tranquil green open space between densely urban West Reading and the more modern housing around Colliers Way and Windrush Way. It is a valuable and welcome amenity space which deserves to be preserved.
- Additional traffic will provide extra pollution.
- Traffic impact on surrounding streets, including junction with Water Road.
- The destruction of this Close may result in other ill advised development.
- It will change the character of residential estate which is made up of number of closes and sets a bad precedent.
- The site is very small for such a large number of properties.
- Not enough parking for residents and visitors.
- There will be potential more traffic and parked cars, increasing the likelihood of a collision or road accident.
- There are no pavements in Kirton Close.
- Loss of light to neighbours.
- Currently we experience high volume of cars from non residents who think it ok to park on Windrush Way. Even painting the double yellow lines around corners did not stop parking there.
- Properties at the end of Kirton Close, Appleby End, some flats in Thorpe House and some properties in Waverly Road would be overlooked by the new development.
- It will change the character of the area. I live in a bungalow and this is an area with a lot of bungalows not with inappropriate height buildings like the ones detailed in this application.
- The proposed development is dense, tall and overbearing on adjacent properties. It is cramped and crowded and inappropriate to the site. It would obliterate the green space.
- Concerned about the potential loss of trees and natural screening on the bank at the rear of Waverley Road.
- The children's playpark directly behind us is not wanted.
- The trees behind 100 Waverley Road are protected and endangered bats are often seen in the area.
- There are men living in a tent behind 100/102 Waverley Road. They are working for the developers putting up fencing. They are using obscene language which my children can hear. They have dogs which bark all hours of the day and night keeping us awake. This is anti-social.
- The only vandalism we have had recently is the unreasonable actions and anti-social behaviour of one of the applicant's contractors whilst erecting a security barrier around the site under permitted development. This has seen several visits by Police, dog wardens and council officers to the site, only to be met with abuse by that worker. This fencing has also been poorly built and will not stop intrusion if that was the aim.
- The layout of current housing may result in noise funnelling down between properties.
- The proposed development would result in the loss of open space that has not been previously developed and which currently makes a positive contribution to the character, appearance and environmental quality of the area due to its visual attractiveness, openness, undeveloped character and green vegetated appearance. The developer has tried to intimidate local residents, denying access to the space both physically and visually, by enclosing this area with fence that has the aesthetic

appeal of construction hoarding. This will lead to an increase in crime and anti-social behaviour such as fly tipping and graffiti.

- Loss of privacy and light to neighbours. Perception of overlooking.
- Inadequate parking provision based on census data gathered over 7 years ago.
- The proposed building is taller than those surrounding it and would stand out too much.
- Site too small to fit 14 houses
- The land has been overgrown and left in an uncut condition for many years. I have walked past it on my way to school over many years. It is a good thing that this site has been put forward for much needed homes in the area.

5. LEGAL AND PLANNING POLICY CONTEXT

5.1 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'.

5.2 Accordingly this application has been assessed against the following policies:
National Planning Policy Framework
National Planning Practice Guidance

Reading Borough Local Development Framework: Core Strategy (2008) (Altered 2015)

CS1	Sustainable Construction and Design
CS2	Waste Minimisation
CS3	Social Inclusion and Diversity
CS4	Accessibility and Intensity of Development
CS5	Inclusive Access
CS7	Design and the Public Realm
CS9	Infrastructure, Services, Resources and Amenities
CS14	Provision of Housing
CS15	Location, Accessibility, Density and Housing Mix
CS20	Implementation of Reading Transport Strategy
CS22	Transport Assessments
CS24	Car / Cycle parking
CS29	Provision of Open Space
CS31	Additional and Existing Community Facilities
CS34	Pollution and Water Resources
CS36	Biodiversity and Geology
CS38	Trees, Hedges and Woodlands

Sites and Detailed Policies Document (2012) (Altered 2015)

SD1	Presumption in Favour of Sustainable Development
DM1	Adaption to Climate Change
DM2	Decentralised Energy
DM3	Infrastructure Planning
DM4	Safeguarding Amenity
DM6	Affordable Housing
DM10	Private and Communal Outdoor Space
DM12	Access, Traffic and Highway-related Matters

DM18 Tree Planting
DM19 Air Quality

Supplementary Planning Documents

Sustainable Construction and Design 2011
Revised Parking Standards and Design 2011
Employment Skills and Training SPD 2013
Affordable Housing SPD 2013
Planning Obligations Under S106 SPD 2015

6. APPRAISAL

Landscape Character and Open Space

- 6.1 Policy CS28 states that "development proposals that will result in the loss of open space or jeopardise its use or enjoyment by the public will not be permitted". Supporting text to the policy in paragraph 9.8 explains that "*As a visual amenity, even without public access, people enjoy having open space near to them to provide an outlook, variety in the urban scene, or as a positive element in the landscape*".
- 6.2 The 2 metre high timber panel fence currently being constructed appears as an unwelcome intrusion into the space. It would prevent public access while it remains in place. However its presence does not change the use of the land and a sense of openness remains with an absence of development, and views to tree canopies, beyond (a building on the site would erode these qualities to a greater extent). It is considered that the fence which has been constructed has a temporary appearance and is unlikely to have a long lifespan. It is also noted that Planning Permission would be required for any alternative use of the land. For these reasons it is considered that the fence does not provide convincing justification for the loss of the open space to be accepted as the contribution of the space in terms of visual amenity, openness and vegetated character are likely to remain in the long term. Whilst the actions of the landowner in erecting a poor quality fence have diminished the aesthetic qualities of the site to a degree, it is considered that the site continues to provide visual relief and a landscaped setting for the more densely developed group of houses at the eastern end of the estate (Appleby End, Kirton Close, Verney Mews etc) and continues to form an important part of the distinctive character of the local area.
- 6.3 The indicative proposals suggest that in order to accommodate 14 dwellings, a substantial scale of building(s) would be required. The current indicative proposal omits the second floor accommodation shown previously and indicates two buildings separated by a small gap. It is apparent that despite the reduction from 18 to 14 dwellings the amount of development proposed would require a building and associated hard surfacing which would fill much of the space in visual terms and would appear as a stark and visually dominant feature within the space. It is considered that the proposals would harm the visual amenity value of the undeveloped vegetated and open area, which provides a significant degree of visual relief to the otherwise largely continuous block of housing within the housing estate to the south.
- 6.4 It is apparent that notwithstanding land ownership matters, local residents have enjoyed access to the space for informal recreation until recently, and have done so for a significant period of time. The erection of the fence would appear to prevent its informal recreational use. This does not affect the visual harm

identified above and, as referred to above, the fence appears to be of questionable durability.

- 6.5 The proposals are therefore contrary to Policies CS28 and CS7. As with the previous refused scheme, it is unclear how any new dwellings could be provided within this space without causing the harm identified, although it remains the case that any alternative proposal would be assessed on its own merits.

Dwelling Mix

- 6.6 Policy DM5 applies to this proposal and seeks 50% of the new dwellings as 3-bed or larger, with the majority taking the form of houses. The scale, appearance and layout of the dwellings is only indicative at this stage (these matters are 'reserved'). However the extent to which the amount of development proposed (a maximum of 14 dwellings) could be accommodated within the site whilst also complying with this policy is a relevant consideration at Outline stage. The proposals indicate that these would take the form of 2 bed and 1 bed flats. It is noted that indicative floorplans have not been submitted and it is therefore possible that a larger building (or buildings) than indicated would be required to accommodate the amount of development currently proposed. Also it is probable that a larger building (or buildings) than currently indicated would be required if the development is to comply with the policy requirement for three bedroom dwellings and the requirement for the majority of these to be houses.

Built Form and Character

- 6.7 Although the proposal is shown indicatively as two buildings, the overall spread of the buildings across the site would be very similar to the previous, refused scheme. The height remains at a ridge height of approximately 10 metres above ground level, despite the second floor/attic accommodation being omitted.
- 6.8 As identified under 171219/OUT, the existing surroundings of the site are characterised by a distinctly modest scale of development with building heights being a maximum of two domestic storeys, with a number of distinctive single storey buildings adjacent to the site.
- 6.9 The indicative proposals demonstrate that in order to achieve the amount of development sought, the height and mass of the building would need to be an almost continuous two storeys for a length of around 55 metres on a NW-SE axis. It is considered that this would appear as an incongruous, isolated and visually jarring feature within this context. This would be particularly apparent where viewed in close proximity to the adjacent single storey houses and when viewed from the junction of Kirton Close and Windrush Way. It is also considered that the minimal distance that would likely remain between the building(s) and northern and southern site boundaries following development would result in an overly cramped appearance, adding to the visual harm.
- 6.10 Policy DM5 has a bearing on character as it requires over 50% of the dwellings to be of 3 bedrooms or more, and the majority of dwellings to be in the form of houses rather than flats. In order to comply with this policy a Reserved Matters application for Scale and Layout could require a larger building (or group of buildings) than that currently shown indicatively under the current application. This would result in a further increase in the harm identified above.
- 6.11 The proposals involve the demolition of 16 Kirton Close and its replacement with a roadway and five parking spaces arranged on the plot (the design of the Access is not a Reserved Matter in this case and therefore the access, turning and parking arrangements are for detailed consideration at Outline stage). The bungalow at 16

Kirton Close is currently sited at the head of the cul-de-sac and provides an appropriate sense of enclosure and a visual end-stop to the close; a characteristic shared with similar development at Appleby End and Verney Mews to either side. Policy CS7 requires new development to contribute positively to (amongst other objectives), "*Character (sense of place)*" and "*Continuity and enclosure*". The explanatory text to the policy explains that this may include "*regular building lines*", "*regular heights*", "*distinctive style and appearance*" and this "*should not be damaged or lost by insensitive new development*". It is considered that demolition of this dwelling would disrupt this existing character leaving an unsightly gap in the streetscene and removing a key element in the continuity and enclosure that characterises the existing streetscene. Further visual harm would result from the proposed replacement of the existing dwelling with a somewhat disjointed and visually stark arrangement of access road and vehicle parking.

6.12 Details of boundary treatments and other enclosures are not included (these would form part of the 'Landscaping' Reserved Matter). It is reasonable to expect that provision of walls and fences to provide defensible space for the new dwellings would further harm the open character of the area.

6.13 For these reasons it is considered that the proposals would be contrary to Policies CS7, CS15 and CS28.

Access and Transport

6.14 The detailed comments of the Highways Authority are set out in Section 4 above. For the reasons set out in these comments, it is considered that the proposal would be detrimental to the safety of pedestrians and cyclists using the public footway.

6.14 The proposals are therefore considered to be contrary to Policies CS20, CS22, and DM12.

Amenity of Neighbours

6.15 Although Scale, Layout and Appearance are Reserved Matters, the amount of development proposed, and the narrowness of the site suggest that the proposal would need to rise to at least two storeys and would extend close to the boundary of houses in Kirton Close and Verney Mews. The indicative height has not reduced significantly because the 4 flats now omitted were largely contained within the roofspace of the previous scheme (171219/OUT).

6.16 It is reasonable to assume that the development would require windows within the principal elevation fronting the footpath and it is considered that this arrangement would result in occupiers of adjacent dwellings in Kirton Close and Verney Mews having a strong perception of being overlooked. It is also possible that the proposal would result in overlooking to dwellings in Thorpe House and rear gardens of Waverley Road, depending on the final design.

6.17 As discussed above, it may be necessary to provide a building, or buildings, of greater scale than that shown indicatively in the submitted drawings in order to achieve the 14 dwelling figure, subject to the final internal design of the dwellings, and if an appropriate mix and type of housing is to be provided. It is considered that the design of the current *indicative* proposal would result in harm to neighbouring amenity due to an overbearing effect on occupiers of Thorpe House, Kirton Close and Verney Mews and loss of privacy. However it should also be noted that an increase in the size of the building due to detailed design requirements (room sizes, access arrangements, internal layout requirements etc),

and/or the need to comply with the dwelling mix requirements of Policy DM5 could significantly worsen these effects.

- 6.18 The proposed access and parking arrangements would result in vehicles parking and maneuvering within close proximity of the rear windows of Thorpe House which serve habitable rooms and which look out onto the site. It is considered that this arrangement would result in harmful noise and disturbance to occupiers of Thorpe House due to engine noise, use of car doors and headlights (depending on a the type of boundary treatment). It is not considered reasonable to expect the existing timber-board fence to provide long term screening; it has a distinctly temporary appearance.
- 6.19 The proposal is considered to be contrary to Policies DM4 and DM10 on this basis.

Amenity of Future Occupiers

- 6.20 The indicative site layout gives no indication as to the interior layout of the proposed dwellings, and on the basis of previous drawings (submitted under 171219/OUT) this could involve single aspect, north facing dwellings with outlook onto an embankment. Light is further restricted in this area by a number of large existing trees. It is not readily apparent how the amount of development proposed might be arranged differently and it is therefore considered that the proposals fail to demonstrate that the proposed development would provide a suitable quality of daylight and sunlight or outlook for future occupiers, especially on the northern side of the site.
- 6.21 It is not clear how suitable demarcation of public and private space could be achieved in order to provide acceptable private amenity space for future occupiers, without resulting in further harm to the openness of the space and the character of the area.
- 6.22 For these reasons it is considered that the proposal would be contrary to Policies DM4 and DM10.

Trees and Landscaping

- 6.23 The detailed comments of the Council's Tree Officer are set out in Section 4 above.
- 6.24 Based on these comments it is considered that it has not been demonstrated that it would be appropriate to remove all the trees that have been identified for removal, particularly T1, the Norway Maple adjacent to Thorpe House.
- 6.25 The vegetated embankment is a characterful feature of the site and contributes positively to the visual amenity of the open space and wider area of housing (it remains readily visible over the new boundary fence). It has not been demonstrated that this can be successfully retained. It has also not been demonstrated that existing trees and vegetation can be successfully retained and reinforced with new tree and shrub planting as part of a landscaping scheme.
- 6.26 Given the concerns regarding insufficient daylight to north-facing rooms set out above it is considered that it has not been demonstrated that the amount of development proposed can be accommodated without future pressure to prune or fell trees of amenity value due to overshadowing from their canopies.
- 6.27 For these reasons the proposals are considered to be contrary to Policies CS7, CS38 and DM18.

Sustainability

- 6.28 The Code for Sustainable Homes requirements of Policy CS1 generally no longer apply to the proposals as the scheme has been withdrawn. This is with the exception of energy requirements. 50% of the units would need to demonstrate a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate for the type of dwelling. This could be reasonably secured by condition.
- 6.29 Other aspects of Policy CS1 and DM1 still apply and should be addressed in a sustainability statement. This could be made subject to condition at Outline stage, to be resolved as part of consideration of the detailed design and Reserved Matters stage.
- 6.30 A Drainage Strategy has been submitted in accordance with national guidance and policies CS1, CS35 and DM1.

Ecology

- 6.31 The comments of the Council's Ecologist are set out in Section 4 above. There are no ecology objections in principle, subject to conditions securing appropriate wildlife-friendly landscaping, details of external lighting and controlling the clearance of vegetation during the bird nesting season. The proposals are considered to accord with Policy CS36 on this basis.

Contaminated Land

- 6.32 The detailed comments of the Council's Environmental Protection team are set out in Section 4 above. These recommend conditions to secure further investigation to ensure that the development is safe and suitable for use for the intended purpose or can be made so by remedial action. It is considered that this can reasonably be secured by condition at Outline stage.
- 6.33 Other matters relating to hours of working, noise and dust during construction and control of bonfires would also be appropriate to control by condition.
- 6.34 It is considered that the proposals comply with Policy CS34.

Anti-social Behaviour and Fly-tipping

- 6.35 The applicant claims that the land is blighted by anti-social behaviour and fly-tipping. However the claim regarding anti-social behaviour is not supported by advice received from the Council's Anti-social Behaviour Team. Fly tipping has occurred on the site although several site visits relating to the previous and current applications confirm that the land appears reasonably free of obvious debris that would affect its character. This situation has only changed recently with complaints made to the ASB team and Police regarding the behaviour of the persons employed to erect the fence around the site. This is not considered to be representative of the use of the land up to this time. The Council's Parks section confirm that there appears to be a historic but not excessive problem with fly-tipping or disposal of waste and identify the main issue as the failure to maintain the area or remove rubbish than this being an extensive problem. In terms of a reasonable assessment of the issue it is apparent that ASB is not a significant concern and it possible that improving vehicular access to the site could increase the potential for fly tipping. For these reasons it is considered that these matters should not be afforded significant weight when determining the application.

Affordable Housing

- 6.36 The proposals would be required to provide 30% of the total number of units on site as Affordable Housing in accordance with Policy DM6. The applicant has not sought a reduction in this requirement. If the planning application were to be

approved a S106 legal agreement would be required at this Outline stage to secure the amount of affordable housing to be provided on site to include a mechanism to secure the precise units, the mix and the tenure types once the detailed design is known at Reserved Matters stage.

S106 and CIL

- 6.37 In addition to Affordable Housing requirements set out above, the scheme would fall in the Major category and would be required to provide an Employment Skills and Training Plan for the 'Construction Phase', or equivalent financial contribution. Both options could be secured via S106 agreement at Outline stage, to include a mechanism to determine the exact amount sought at Reserved Matters stage (dependent on the final amount of floorspace proposed) based on the formula: £2,500 x Gross internal floor area of scheme (m²) / 1000m²
- 6.38 Policies CS3, CS9, DM3 and the Employment Skills and Training SPD (2013) apply.
- 6.39 CIL would apply to the proposals, subject to the usual reliefs or exemptions set out in the CIL Regulations. It is not possible to calculate the CIL charge until full floorspace details are provided at Reserved Matters stage.

Equality

- 6.40 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. It is considered that there is no indication or evidence (including from consultation on the current application) that the protected groups would have different needs, experiences, issues and priorities in relation to this particular planning application.

7. CONCLUSION

- 7.1 It is considered that the proposals would result in harmful loss of open space and would represent an overdevelopment of the site, harmful to the character of the area.
- 7.2 The proposed building would result in harm to the amenity of neighbouring occupiers and it has not been demonstrated that a suitable quality of amenity can be achieved for future occupiers.
- 7.3 The access arrangements would harm highway safety.
- 7.4 Harm to a tree of amenity value would occur as a result of the proposed removal of T1, Norway Maple.
- 7.5 S106 matters relating to the provision of Affordable Housing and Employment Skills and Training have not progressed to completion.
- 7.6 The application is recommended for refusal as set out in the above report.

Case Officer: Steve Vigar

APPENDIX 1

Paragraph: 006 Reference ID: 14-006-20140306 of the National Planning Practice Guidance provides the following definitions for the various Reserved Matters that can be reserved for later determination.

Reserved matters are those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application, (i.e. they can be 'reserved' for later determination). These are defined in [article 2 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) as:

- 'Access' - the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- 'Appearance' - the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 'Landscaping' - the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
- 'Layout' - the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 'Scale' - the height, width and length of each building proposed within the development in relation to its surroundings.

APPENDIX 2 - Application Drawings (selection only)

Full details at http://planning.reading.gov.uk/fastweb_PL/welcome.asp



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- KEY**
- Existing TPO Trees (Subject to Tree Survey)
 - Indicative Landscaping
 - Existing trees to be retained
 - Existing Building to be removed
 - Shared Surface / Path / Permeable Surface
 - Soft Landscaping / Rear Gardens
 - Existing buildings
 - The Proposal
 - The Proposed Bank
 - Proposed Block Paving
 - Pathway
 - 1x Parking Spaces
 - 4 Visitor Parking Spaces
 - 18 Total Parking Spaces
 - 11 Bike spaces

Accommodation Schedule

10 x 2 Bed Apartments @ 67m²
 4 x 1 Bed Apartments @ 55m²
 REV E: South East Boundary Amended to exclude foot path & Parking Numbers Revised



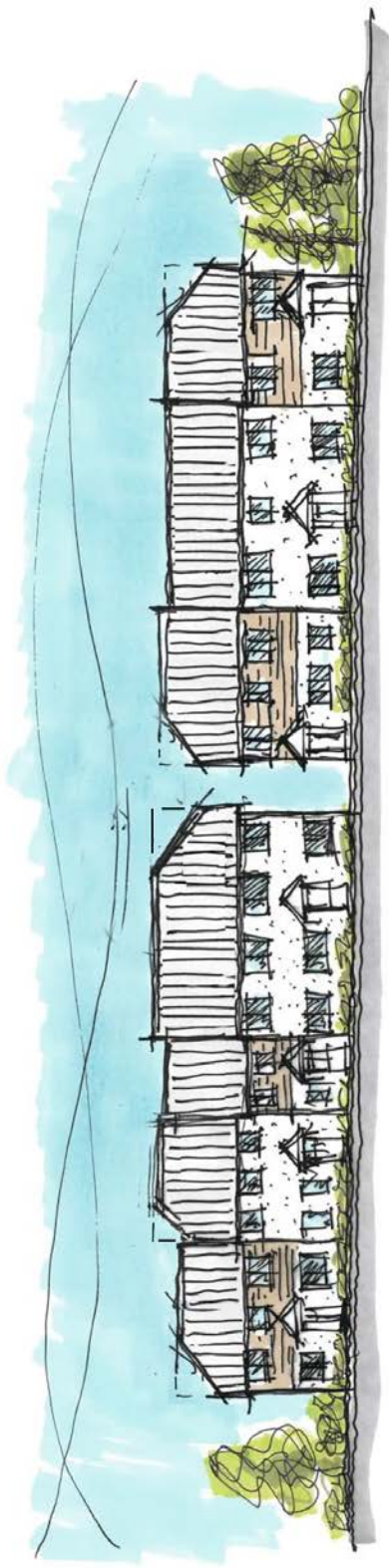
- Project CPCW
- Dwg No/rev SK-101E
- Scale 1:500@A3
- Date MAR 2018
- Checked by AC

The Cardiff Property Land at Colliers Way
 Proposed Site Layout

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Subject to:
 Planning and Highways
 Agreements, conditions and contractual agreements relating, listing or preventing possible development of the site to be brought to the immediate attention of the architect.

Proposed Site Plan (indicative except for access arrangements)



Indicative front (SW) elevation



Project: GPCW
 Dwg No/rev: SK-400C
 Scale: 1:200@A3
 Date: MAR 2018
 Checked by: AC

The Cardiff Property
 Land at Colliers Way
 Proposed Front Elevation

Subject to:
 Full Site and Building Survey
 Planning and Highways
 Any easements, covenants and contractual agreements restricting, limiting or preventing potential development of the site to be brought to the immediate attention of JSA architects.

APPENDIX 3 - Site Photos



Site as at October 2017 (prior to fence being erected)



Site as at 18 June 2018 - View east from footpath



Site as at 18 June 2018 view west from footpath



View north along Kirton Close from junction with Windrush Way