



**Reading**  
Borough Council  
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PLANNING APPLICATIONS COMMITTEE

24 JUNE 2020

ADDITIONAL INFORMATION

AGENDA ITEM	ACTION	WARDS AFFECTED	PAGE NO	
<b><u>UPDATE AGENDA</u></b>				
7.	200147/HOU - 30 ADDISON ROAD	Decision	ABBEY	5 - 12
8.	200061/FUL - THE ABBEY SCHOOL, KENDRICK ROAD	Decision	REDLANDS	13 - 16

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# Agenda Annex

## UPDATE SHEET AND ORDER OF CONSIDERATION

Planning Applications Committee - 24<sup>th</sup> June 2020

### No Public Speaking Items

<b>Item No.</b>	<b>7 Page 31</b>	<b>Ward</b> Abbey
<b>Application Number</b>	200147	
<b>Application type</b>	Householder	
<b>Address</b>	30 Addison Road, Reading, RG1 8EN	
<b>Planning Officer presenting</b>	<b>Connie Davis</b>	<b>*UPDATE REPORT*</b>

<b>Item No.</b>	<b>8 Page 41</b>	<b>Ward</b> Redlands
<b>Application Number</b>	200061	
<b>Application type</b>	Full Planning Approval	
<b>Address</b>	The Abbey School, 17 Kendrick Road, Reading, RG1 5DZ	
<b>Planning Officer presenting</b>	<b>Ethne Humphreys</b>	<b>*UPDATE REPORT*</b>

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## UPDATE REPORT

<b>BY THE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES</b>
<b>READING BOROUGH COUNCIL</b>
<b>PLANNING APPLICATIONS COMMITTEE: 24<sup>th</sup> June 2020</b>

**ITEM NO. 7**

**Ward:** Abbey

**App No:** 200147/HOU

**Address:** 30 Addison Road

**Proposal:** Erection of single storey rear extension (part retrospective)

**Applicant:** Mr Min Bahadur Tamang

**Extended Target Date:** 26/06/20

### RECOMMENDATION:

As per the main report.

#### 1. Previous appeal decisions

1.1 The Planning Inspectors' reports for both the planning appeal (in relation to application 190062/HOU) and the enforcement appeal are attached to this update report for reference.

#### 2. Typographical Error

2.1 Please note that paragraph 6.11 of the main report refers to the adjoining neighbour 30 Addison Road; this should state no. 32 Addison Road.

**Case Officer:** Connie Davis

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## Appeal Decision

Site visit made on 9 July 2019 by Alex O'Doherty LLB(Hons) MSc

**Decision by R C Kirby BA(Hons) DIPTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 18 July 2019**

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**Appeal Ref: APP/E0345/D/19/3228362**

**30 Addison Road, Reading, Berkshire RG1 8EN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs Ringmaya Tamang against the decision of Reading Borough Council.
  - The application Ref 190062, dated 11 January 2019, was refused by notice dated 11 March 2019.
  - The development proposed is a single storey rear extension to create a new bathroom and WC at the rear of the existing building.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Procedural Matters

3. A single storey side and rear extension, and a canopy, have already been built at the appeal property. This appeal does not include the canopy element, and therefore I have not taken the built canopy into account.
4. However, there are a number of material differences between the rear extension, as built, and the proposed development as shown on the plans. In particular, the plans show a clear gap between the highest point of the roof of the proposed extension and the windows in the original building above, but a large proportion of this gap has been filled in, due to the pitch of the roof, in the development as built. For the avoidance of doubt, this decision only relates to the proposed development as shown on the submitted plans.

### Main Issues

5. The effect of the proposed extension on the character and appearance of the host property and the surrounding area, and on the living conditions of the occupiers of No 28 Addison Road, with particular reference to outlook.

## Reasons for the Recommendation

### *Character and appearance*

6. In common with the adjoining properties, and many other properties in the surrounding area, the appeal property shares a distinctive uniformity of design, in terms of its roof form and overall scale and mass. In this street, many properties are built as pairs, and contain important gaps which separate one pair from another. Although a number of dwellings in the terrace have been extended to the rear, this has been from the rear of the outrigger and not the side. The gaps between the respective outriggers is an important feature in defining the character and appearance of the terrace of which the appeal property forms part.
7. The proposal would extend to the rear and would also fill the important gap to the side of the property, at ground floor, resulting in an extension that would span the full width of the original property. Whilst the size of the extension would leave a good-sized garden area to the property, its design with a flat roof would not reflect the architectural characteristics of the host property. By filling in part of the gap between the host property and its neighbour, it would significantly erode the character and appearance of the property and the terrace of which it forms part.
8. My attention has been drawn to other extensions in the locality, including one at No 48 Addison Road. I was unable to observe this on my site visit, and in the absence of detailed drawings and information in respect of the circumstances of this case, I am unable to assess whether this development is directly comparable to the scheme before me. I did however observe other rear extensions in the locality, however these appeared to be projecting from the rear of the outrigger and not the side, thereby retaining the space between the respective properties, which the appeal proposal would not achieve. I also observed that the properties adjoining the appeal property had no rear extensions.
9. Given my findings above in respect of the harm that would be caused to the host property and terrace of which it forms part, it follows that the contribution these buildings make to the character and appearance of the area would be significantly diminished as a result of the extension. Although the extension would not be visible from the street, it would be from nearby properties and their gardens. Its incongruous design would be likely to reduce the appreciation nearby occupiers' place on the quality of the area within which they live. Harm to the character and appearance of the area would occur as a result of the proposal.
10. In light of the foregoing, I conclude that the proposal would harm the character and appearance of the host property and the surrounding area, in conflict with Policy DM9 of the Reading Borough Local Development Framework: Sites and Detailed Policies Document (adopted October 2012 with alteration adopted 27 January 2015) (SDPD), which seeks to ensure that extensions to houses respect the character of the house, and the character and pattern of neighbouring properties and the street as a whole. Similarly, the proposal would conflict with Policy CS7 of the Reading Borough Local Development Framework: Core Strategy (adopted January 2008 with alteration adopted 27 January 2015) (CS), which seeks to promote development of high design quality that maintains and enhances the character and appearance of the area.



The proposal would also conflict with the advice given in A Design Guide to House Extensions (Supplementary Planning Guidance) (dated May 2003) (SPG) which states that proposals for side extensions that results in the loss of a gap to the detriment of the local character will not normally be granted planning permission.

#### *Living conditions*

11. Given the orientation of No 28 to the appeal property, and given the height of the extension it would be unlikely that overshadowing of this property would occur.
12. I recognise that the proposal accords with the advice that rear extensions should not extend longer than 4 metres when measured from the back of the original house, as given the SPG. However, the extension as proposed also extends to the side of the existing outrigger and would be in close proximity to a number of windows in the side and in-set rear elevations of No 28.
13. Although these windows are currently close to the side elevation of No 30, the outlook from them is largely open because of the distance between the respective features. The new extension would be constructed on the party boundary and although being single storey, it would result in a tall blank wall in close proximity to these windows. The extension would be a prominent, dominant feature which would have a substantial enclosing effect and would be harmful to the outlook from these windows. The new extension would be likely to make the rooms that these windows serve less pleasant to use as a result. Additionally, the reduction in the width of the gap between Nos 28 and 30 would make the space immediately in front of these windows much less pleasant to use, due to the side wall of the extension's overbearing impact.
14. Given my findings above, I conclude that the proposal would have an unacceptably harmful impact on the living conditions of the occupiers of No 28 Addison Road, in conflict with Policy DM4 of the SDPD which seeks to ensure that development does not cause a significant detrimental impact to the living environment of existing residential properties. The proposal would also conflict with the advice given in the SPG which states that extensions should not have a detrimental impact on neighbouring properties.

#### **Other Matters**

15. The appellant has referred to a potential fall-back, in relation to permitted development rights under Class A of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). However, whether or not a similar proposal could be constructed under permitted development rights is not a matter to be determined in the context of a section 78 appeal. Additionally, I have not been provided with sufficient evidence to demonstrate that a similar development would comply with the GPDO's requirements for both side and rear extensions, and as such I am not persuaded that there is a greater than a theoretical possibility that permitted development rights would be exercised. Limited weight is therefore given to this matter.

**Conclusion and Recommendation**

16. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

*Alex O'Doherty*

APPEAL PLANNING OFFICER

**Inspector's Decision**

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*R C Kirby*

INSPECTOR



## Appeal Decision

Site visit made on 26 February 2020

by **N Thomas MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 May 2020

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**Appeal Ref: APP/E0345/C/3239633**

**Land and property at 30 Addison Road, Reading RG1 8EN**

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
  - The appeal is made by Mr Min Bahadur Tamang against an enforcement notice issued by Reading Borough Council.
  - The enforcement notice was issued on 11 September 2019.
  - The breach of planning control as alleged in the notice is without planning permission the erection on the land of (1) a single storey rear extension shown crossed hatched black and annotated 'B' on Plan 'B' attached hereto and (2) an open ended canopy shown hatched black and annotated 'A' on Plan 'B' attached hereto.
  - The requirements of the notice are:
    - (a) Take down and remove from the land the open ended canopy in the approximate location shown hatched black and annotated 'A' on Plan 'B' attached hereto; and
    - (b) Take down and remove from the land the single storey rear extension in the approximate location shown crossed hatched black and annotated 'B' on Plan 'B' attached hereto; or
    - (c) Alter the said single storey rear extension so that it accords with the conditions and limitations of Class A Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended); and
    - (d) Make good any damage to the existing land and building caused as a result of the works carried out under (a), (b) or (c) above and remove from the land all building and other excess materials associated with the said works.
  - The period for compliance with the requirements is six months.
  - The appeal is proceeding on the grounds set out in sections 174(2) (f) and (g) of the Town and Country Planning Act 1990 as amended. Since the prescribed fees have not been paid within the specified period, the appeal on ground (a) and the application for planning permission deemed to have been made under section 177(5) of the Act have lapsed
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### Decision

1. The enforcement notice is quashed.

### The Enforcement Notice

2. I have a duty to ensure that the notice is in order.
3. It is well established by case law that an enforcement notice must clearly set out what the recipient of the notice is required to do in order to comply with its requirements. While it can be appropriate to give the recipient of the notice a choice of how to comply, the minimum requirement must be clear.

4. Requirement (c) of the notice requires alterations to the extension to comply with permitted development rights set out in the GPDO<sup>1</sup>. However, it is not clear that an alternative permitted development scheme is realistically achievable in terms of adapting and partly demolishing the existing extension. The requirement therefore lacks the necessary degree of precision to allow the recipient of the notice to know what is required in order to comply.
5. Wide powers to correct a notice are available to me under section 176(1) of the 1990 Act as amended. However, they only apply if I am satisfied that the correction will not cause injustice to the appellant or the Council. In this instance, the parties agree that the deletion of requirement (c) of the notice would cause injustice to the appellant, who would as a result have no option but to demolish the extension in its entirety.
6. The appellant has requested that the requirements be varied to add an alternative requirement that the extension be amended to accord with a planning application that is currently being considered by the Council. However, I have no certainty that the application will be approved and therefore it is not an obvious alternative to the requirements of the notice.
7. For the reasons given above, I conclude that the enforcement notice does not specify with sufficient clarity the steps required for compliance. It is not open to me to correct the error in accordance with my powers under section 176(1)(a) of the 1990 Act as amended, since injustice would be caused were I to do so. The enforcement notice is invalid and will be quashed. In these circumstances, the appeals on the grounds set out in section 174(2)(f) and (g) of the 1990 Act as amended do not fall to be considered.

*N Thomas*

INSPECTOR

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<sup>1</sup> Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

## UPDATE REPORT

BY THE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 24<sup>th</sup> June 2020

ITEM NO. 8

**Ward:** Redlands

**App No:** 200061/FUL

**Address:** The Abbey School, Kendrick Road, Reading

**Proposal:** Erection of a new dining hall with green roof over the existing courtyard, rooftop extension to the 6th Form block to provide a new common room, extension to the south-east to provide additional classroom space and a new study area for the 6th Form block, reconfiguration of hard landscaped area to remove 1 of 4 netball courts, move existing flood lighting, relocate existing 6th form parking and enhance the frontage of the 6th form building.

**Applicant:** The Abbey School

**Determination Date:** Originally 15/4/2020; EOT agreed until 30/6/2020

### RECOMMENDATION:

As per the main Agenda report, with the following additional condition:

- 1. Development in accordance with Landscape and Ecology Management Plan**

- 1. Clarification of glazing proposed to 6<sup>th</sup> Form rooftop extension**

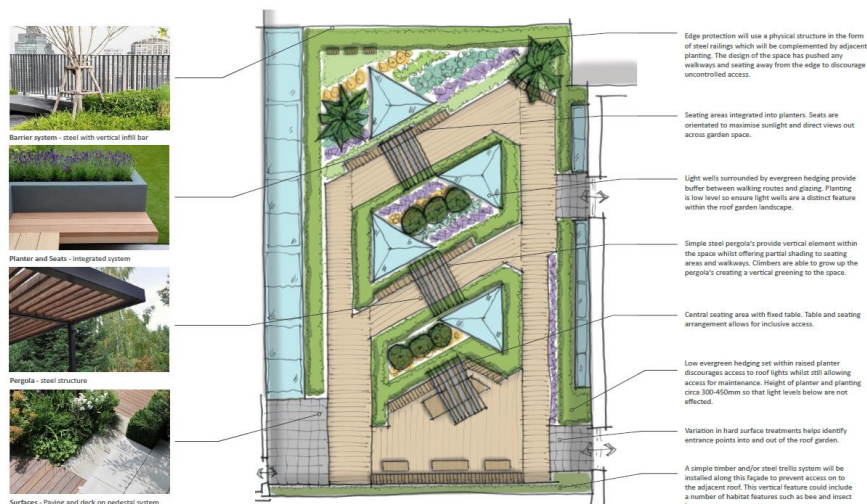
- 1.1** The applicant has confirmed that there will be no tint to any glazing and that all glazing will be clear to avoid a top heavy appearance. The following CGI provides an impression of the appearance of the proposed building. Furthermore, the specifications for the windows can be required by adapting the standard materials to be approved condition to ensure design quality.



## 2. Clarification of proposed green roof and separate roof garden

- 2.1 The Council's recently adopted Sustainable Design and Construction SPD states at paragraph 4.8 that "A green roof is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproof membrane".
- 2.2 The SPD supports Policy CC3: Adaptation to Climate Change which includes green roofs as an example of a measure to maximise resistance and resilience to climate change.
- 2.3 The proposals incorporate a wildflower roof system. It is recognised that this system will require more maintenance over, for example, a sedum roof which is low maintenance, as wildflower roofs require more feeding and irrigation. However, the benefits of a wildflower system include encouragement of a range of insect species including bees, butterflies and small birds, as well as providing species diversity and long season flowering.
- 2.4 As part of the application submission, the applicant has provided a 'Landscape and Ecology Management Plan' which details the management of biodiversity features, species and maintenance regime. Pages 11-15 of this Management Plan sets out the proposed measures and it is considered that a suitably worded condition could be attached to ensure that the proposed green roof works are undertaken as set out in this document. Furthermore, it is noted that for as long as the green roof is in place, there would be an obvious imperative for the applicant to keep it well maintained so that the school building is an attractive proposition for students and visitors. It is also noted that the management plan will fulfil a key criterion under BREEAM to allow a credit to be awarded in this respect.
- 2.5 In addition a roof garden is proposed on the second floor (see second floor plan in main report) to be accessed from the 6<sup>th</sup> Form with balustrade for safety. A Roof Garden Concept has been included in the submitted Planning, Heritage, Design and Access Statement. This is also indicated below:

### 2.0 Abbey School - Roof Garden Concept



### 3. Update on light levels

- 3.1 The applicant submitted an External Lighting Study, given the proposals include the relocation of existing floodlighting. Whilst a change might be visible to Martindale Court to the east of the site (light may be seen in a different position) the impact of the change is considered to be negligible in terms of light levels (lux). The Council's Environmental Protection Team have reviewed the document and have raised no concerns about the impact of light levels to any nearby property.

### 4. Update on parking arrangements

- 4.1 It is noted that the Council's parking standards do not require any parking provision for students at a secondary school. With this in mind, the Highway Authority would have no objection to their loss as part of this development. This is due to the existing parking restrictions that surround the application site ensuring that overspill parking does not occur and the sustainable location of the school which is highlighted extensively within the Transport Statement submitted alongside the application. The existing and proposed reconfigured parking spaces at the rear of the site are for use by the 6<sup>th</sup> Form students, with no increase in the number of parking spaces proposed.

### 5. Corrections

- 5.1 There is a typographical error in paragraph 6.14 of the main agenda report which is corrected as follows:

*"The value of trees is graded by the British Standard 5837:20112 British Standard 5837:2012 and these range from Grade A (the best, most healthy, valuable specimens) to Grade U (those that are the least healthy and valuable specimens)."*

- 5.2 There is also an error in paragraph 6.19 of the main agenda report which is correct as follows:

*"In this very specific instance, whilst acknowledging that the loss of these trees is not strictly in accordance with the development plan ~~Policy EN12~~, Policy EN14, officers consider this is outweighed by the very specific mitigation proposed including replacement mature tree planting (of the same species), further additional trees ensuring net gain and the wider landscaping proposals, which is considered to be a tangible planning benefit of the proposal, which is noted within the context of the overall planning balance, as detailed at the end of this report."*

- 5.3 The above errors do not materially change the assessment of the scheme made as discussed within the main committee report.

### 5. Conclusion

- 5.1 The officer recommendation remains to grant planning permission subject to the conditions and informatives as outlined in the main report, with the amendment to the materials condition to specify glazing details to be approved and the additional details for the proposed green roof as noted above.

Officer: Ethne Humphreys

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