

## COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 24/06/20

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

#### REFUSE for the following reasons:

1. By reason of its excessive width, depth and cumulative impact the extension sited to the rear of the house is considered to be an overdevelopment of the site which does not reflect the scale, proportions, design and materials of the original property. The proposed development is therefore contrary to Policy CC7 (Design and the Public Realm), Policy H9 (House Extensions and Ancillary Accommodation) of the Reading Borough Local Plan 2019 and Council's Supplementary Planning Guidance - A Design Guide to House Extensions (2003).

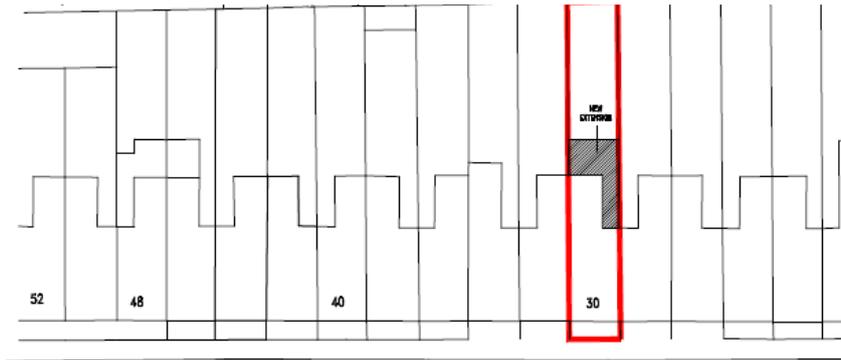
2. Due to the depth and its proximity along the boundary with 28 Addison Road the extension is considered to cause a detrimental impact on the living environment of this neighbouring property. It creates a visually dominant and overbearing presence to the dwelling and the rear facing window of this neighbouring property. As such the proposal is contrary to Policy CC8 (Safeguarding Amenity) and Policy H9 (House Extensions and Ancillary Accommodation) of the Reading Borough Local Plan 2019 and Council's Supplementary Planning Guidance - A Design Guide to House Extensions (2003).

#### Informatives to include:

1. Plans/ Documents considered
2. Refused Plans
3. Enforcement
4. Positive and Proactive

## 1. INTRODUCTION

- 1.1 The application site is a mid-terraced property located on the eastern side of Addison Road. The surrounding area is predominantly residential, with terraced dwellings of similar style. Addison Road is adjacent to the Richfield Avenue and Cardiff Road industrial area and is not within a conservation area.



### Location plan

- 1.2 This application seeks to modify an extension that has been erected without planning permission. As will be explained further within this report, the site has had several previous refused applications and an enforcement notice served to remove parts of development.
- 1.3 The application was called in to be determined at Planning Applications Committee by Councillor Page given the planning history at the site.
- 1.4 The following plans/ documents were submitted:

191101-1 - Site Plan/ Block Plan/ Location Plan  
 191101-2 - Existing Floor Plan & Elevations  
 191101-4 - As Built Floor Plan & Elevations  
 191101-3 - Proposed Floor Plan & Elevations  
 Planning Statement

Received 11<sup>th</sup> February 2020

- 1.5 The proposal is not liable for CIL as the increase in floor area is less than 100sqm.

## 2. PROPOSAL

- 2.1 Planning permission is sought for the erection of a single storey rear extension with an L-shape plan. The rear extension projects to a maximum depth of 7.2m infilling the 'tunnelback' between the site and neighbouring property. It extends 2.4m from the rear elevation of the outrigger (rear kitchen extension) and results in creating a level rear elevation. It measures 3.8m in width (the entire width of the property). The extension would have a mono-pitched roof and a rooflight proposed on the southern elevation. The extension itself is already in place, and this application seeks to gain planning permission for this whilst make alterations to the roof form to overcome the issues identified by officers and the Planning Inspector in previous applications. At present, the roof is of an extremely low pitch which almost appears flat.
- 2.2 The main house is finished in traditional brickwork with a slate roof. The extension has been constructed with bricks to match, however roof tiles are proposed to be used for the roof modifications. Roof tiles are currently in place which are not of the same colour as slate.

## 3. PLANNING HISTORY

- 3.1 The unauthorised development was found to be harmful enough to warrant taking enforcement action to remedy the harm. The following two applications were submitted in the hope of regularising the development and avoid the serving of an enforcement notice:

**181612/HOU** - Retrospective single storey rear extension to create a new bathroom and wc plus a canopy at the rear for outdoor relaxation - Application Refused (*this application aimed to regularise the development as it had been originally constructed*):



Photo of the rear of the property dated 13<sup>th</sup> June 2018

**190062/HOU** - Retrospective application for a single storey rear extension to create a new bathroom and WC at the rear of existing building - Application Refused and planning appeal dismissed. This application was submitted following the removal of the rear canopy and is also how the site looks today:



- 3.2 It should be noted that submitted drawing 191101-4 - *As Built Floor Plan & Elevations* provided by the applicant does not accurately reflect what is in situ (ie. the picture above) in terms of roof form.
- 3.3 Following the refusal of the above applications an enforcement notice was served and subsequently appealed (ref. APP/E0345/C/3239633). To comply with the notice, the applicant was required to remove the development entirely or reduce it so that the development qualified as Permitted Development. While the enforcement

appeal was in progress this current planning application was also submitted to the LPA with the hope that the Planning Inspector would accept these amended plans should the appeal against the enforcement notice be successful.

3.4 However, the enforcement notice was quashed on 11<sup>th</sup> May 2020 by the Planning Inspector. It was considered that the means of complying with the notice by way of reducing the extension to what would qualify as Permitted Development was not considered a precise enough requirement. This formed the entirety of the Inspector's report and the planning merits of the scheme itself were not addressed.

3.5 The planning enforcement and legal teams are looking into the matter and what this means moving forward. However, this revised planning application is being assessed on its own merits.

3.6 Plans of all three planning applications can be found at the end of this report.

#### **4. CONSULTATIONS**

4.1 No internal consultations were required on this application.

4.2 Neighbouring properties were notified of the application via letter and a site notice was sent to the applicant to display at the site. No representations have been received from neighbouring properties or members of the public.

#### **5. LEGAL AND PLANNING POLICY CONTEXT**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy Framework, among them the 'presumption in favour of sustainable development'.

5.2 The application has been assessed against the following policies:

5.3 National Planning Policy Framework

5.4 Reading Borough Local Plan (2019)

Policy CC1 - Presumption in Favour of Sustainable Development

Policy CC7 - Design and the Public Realm

Policy CC8 - Safeguarding Amenity

Policy H9 - House Extensions and Ancillary Accommodation

Policy H10 - Private and Communal Outdoor Space

5.5 Supplementary Planning Guidance - A Design Guide to House Extensions (2003)

#### **6. APPRAISAL**

6.1 Within the supporting statement submitted with this application, the applicant has detailed why they consider this latest application has overcome previous concerns. The applicant has requested that these are presented to Members. In summary, their reasons are as follows:

- Extensions to the side can be constructed under Permitted Development

- The proposed roof of the extension has been amended so that it is mono-pitched rather than flat to better integrate with the main property
- Due to being located at the rear, the extension would not have an impact on the street scene
- Sufficient amenity space is retained
- Similar extensions are found elsewhere in Reading with a specific example at 48 Addison Road
- The ‘tunnel’ of the neighbouring property is unlikely to provide anything other than rear access to the neighbouring dwelling (and as such is acceptable to build along the boundary)
- The eaves height of the extension has been reduced to 2m and a fence could be erected under Permitted Development for this height and as such is not considered to be overbearing or reduce outlook
- Windows that could potentially be impacted at no. 28 Addison Road are secondary and these rooms have dual aspect

#### Design and impact on the character of the surrounding area

- 6.2 Policy CC7 requires that all development 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 H9 states that a house extension should respect the character and appearance of the house in terms of scale, location, materials and design.
- 6.3 In assessing the proposal, officers are mindful of the previous applications at the site and sought to recognise what modifications have been proposed to the previous schemes. However, the depth and width of the extension remains unaltered and extends to approximately 7.2m along the shared boundary with 28 Addison Road which is considered out of proportion with the modest scale of the main house, contrary to Policy H9. The Council’s Design Guide to House Extensions (2003) also states that planning permission will not usually be granted for rear extensions that are longer than 4m when measured from the back of the original house. Rear extensions should be located as far away from side boundaries as possible to protect light to main habitable rooms, and to safeguard outlook from adjacent properties. For terraced housing, rear extensions (including single storey ones) can have a significant and detrimental impact on neighbouring properties and the general appearance of the terrace.
- 6.4 The development infills the gap/ ‘tunnel’ between the application site and neighbouring property, no. 28, and extends up to the boundary with this neighbour. As part of the previous planning appeal which was dismissed, the Inspector described the gap between the application site and the neighbouring property as, ‘*important*’ and ‘*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*’. It is considered that this proposal would similarly be out of keeping with the wider terrace. Whilst the applicant has noted a similar scale extension at 48 Addison Road, the LPA holds no record of this being approved under a planning application. As such, this is not considered a justification for allowing this extension which is considered out of scale with the main house, and of detriment of the character and prevailing pattern of the terrace. In addition, whilst not visible from the street, the proposal is visible from the rear gardens of neighbouring properties and as such it is considered to reduce the quality of the area.

- 6.5 It is noted that alterations to the roof configuration are proposed (which have primarily been proposed to reduce impact on neighbours - as will later be discussed). At present, the extension has an extremely low pitched roof so appears almost flat. This is proposed to be modified by introducing a sloped section towards the neighbouring boundary with 28 and the rear section over adjacent to the kitchen extension having a mono-pitched (lean-to) roof. However, due to the varying heights of the roof elements, it is considered that this leads to an unattractive design that would appear slightly jarring in nature. The part of the extension adjoining the existing outrigger is particularly high (maximum height 3.3m) when combined with the comparatively low sloped roof of the part of the extension to the side (maximum height of 2.3m) and is considered to create an unbalanced and contrived design. Roof tiles are also proposed on the sloped section which would not match the slate roof of the main house.
- 6.6 Although not a planning matter (and the development is proposed entirely within the applicant's land), officers note that as a result of the mono-pitch roof design along the boundary with no. 28 there is the risk of external drain water systems overhanging or water run-off flowing on to neighbouring land. As such, the practicality of building the development could be compromised by the design presented. Notice has not been served on the neighbouring property to allow any overhang of the boundary.
- 6.7 The proposal is therefore considered to be a poor design response, contrary to Policies CC7 and H9 of the Reading Borough Local Plan and the Design Guide to House Extensions SPG (2003).

#### Impact on neighbouring residential amenity

- 6.8 Policy CC8 states that development will not cause a detrimental impact to the living environment of existing residential properties, in terms of privacy and overlooking, access to sunlight and daylight, visual dominance and overbearing effects of a development and harm to outlook.
- 6.9 Although modifications to the roof have been proposed (making the roof mono-pitched on the boundary with no. 28 and reducing its eaves height to 2m), its overall scale and bulk extending up to the boundary would still result in an overbearing impact on this property, and a development which would have visual dominance and result in the No. 28's ground floor window having an outlook of a long, unrelieved flank wall at ground floor level, which is considered unneighbourly.
- 6.10 As with the issue of guttering, the plans are also incomplete in that neighbouring windows have not been illustrated on the proposed plans at ground or first floor level and the applicant suggests that windows that would be impacted at no. 28 are secondary and are rooms which have dual aspect. This was not a conclusion that the Inspector came to under the previous refused application, nor has any supporting evidence been provided to demonstrate this claim. Notwithstanding this, due to the property being mid-terrace, meaning that windows are contained to two elevations, it is considered that each window will likely have a substantial role to play in providing outlook and light to the neighbouring property.
- 6.11 In relation to the adjoining neighbour to the north, 30 Addison Road, the extension protrudes 2.4m beyond this neighbouring outrigger. The outrigger has two small rear windows. However, it is not known for certain what these windows serve and no comments have been received from this neighbour in relation to this matter.

Nevertheless, due to the extension only projecting a modest depth of 2.4m beyond these windows, the proposal is considered acceptable in relation to this neighbour and in line with the Design Guide to House Extensions SPG.

- 6.12 For the reasons detailed above, the extension is not considered acceptable in relation to its impact on 28 Addison Road, contrary to Policy CC8 of the Reading Borough Local Plan 2019 and the Council's Supplementary Planning Guidance - A Design Guide to House Extensions (2003).

#### Amenity space

- 6.13 Policy H10 states that the design of outdoor areas will respect the size and character of other similar spaces in the vicinity.
- 6.14 It is considered that sufficient garden space would be retained (50sqm), albeit slightly smaller than surrounding properties. Although it is considered that the terrace is characterised by good size plots, due to some properties within the vicinity having modest single storey extensions (to the outrigger), not all properties have an amenity space of the same size. Therefore, it is considered that so long as a good proportion of the amenity space is retained then the proposal would not conflict in this regard. This view is also supported by the Planning Inspector as part of the previous planning appeal. As such, the proposal is considered acceptable in terms of Policy H10.

#### Other matters - Equalities Impact

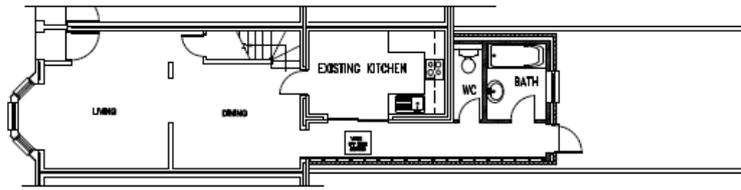
- 6.15 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics including age and disability. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application. In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

## **7. CONCLUSION**

- 7.1 The proposal is not considered acceptable in the context of national and local planning policy, as set out in this report. The scheme presented under this application is not considered to have overcome the previous concerns and conclusions made by officers and the Planning Inspector and continues to demonstrate an overdevelopment of the site and unacceptable impact on neighbouring amenity.

**Case Officer: Connie Davis**

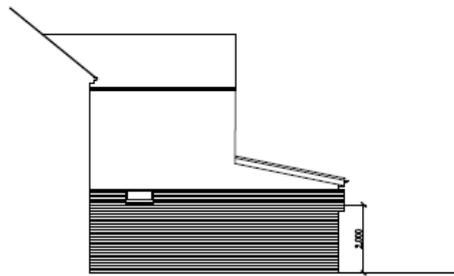
200147/HOU (Third application - this application)



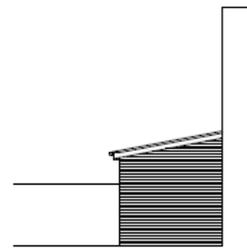
GROUND FLOOR PLAN



REAR ELEVATION

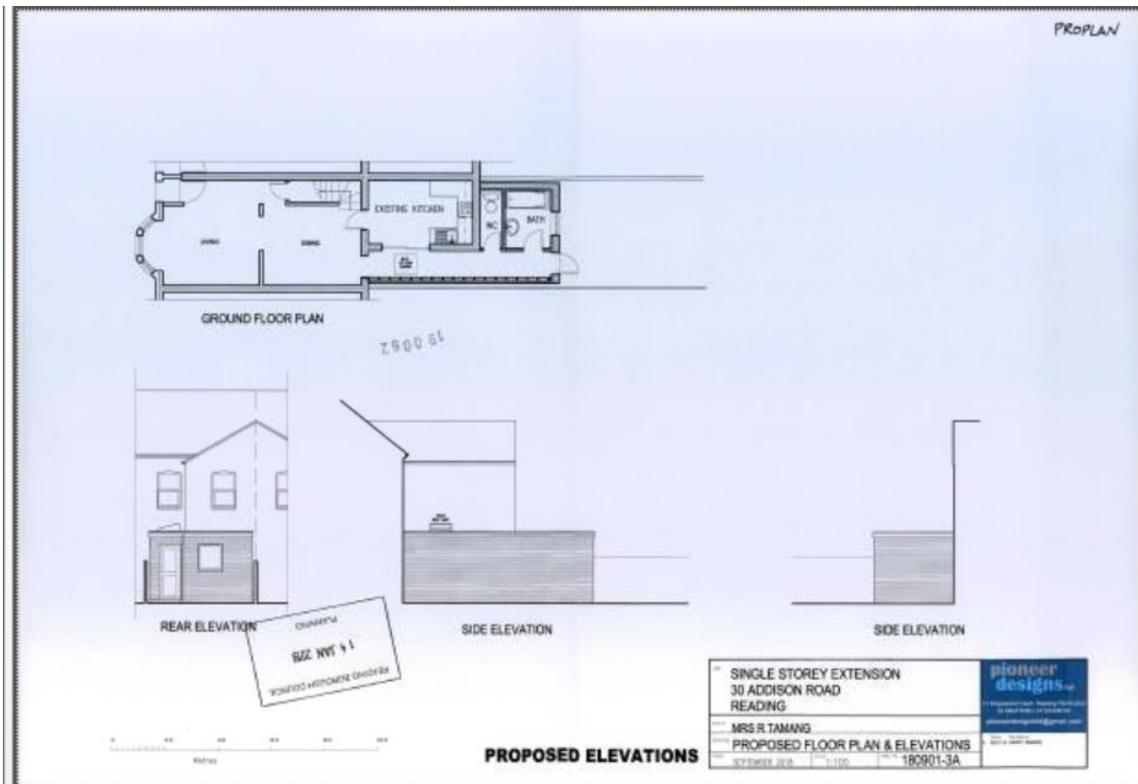


SIDE ELEVATION



SIDE ELEVATION

190062/HOU (Second application):



181612/HOU (First application):

