

UPDATE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 7th November 2018

ITEM NO. 11

Ward: Church

App No: 181365/HOU

Address: 31 Windermere Road

Proposal: Part one, part two storey side and rear extension

Applicant: Mr K Iqbal, Adams Estates

Date validated: 03/08/18

Target Date: 28/09/18

Extension:

RECOMMENDATION

GRANT as on main agenda but with amendment to Condition 3, to include amended elevational drawing no: KHWind31:006 Rev. E.

1. BACKGROUND

1.1 This application was deferred at the 10th October 2018 Planning Applications Committee meeting to allow for a site visit to the application property and its neighbour, 29 Windermere Road, to provide Councillors with a clearer understanding of the site and the potential impact of the proposed extension. The site visit took place on 1st November 2018.

1.2 Following your meeting on 10th October 2018 where questions were raised regarding the boundary between no.31 and no.29 Windermere and encroachment of the proposed extension, the agent supplied an amended plan. Drawing No: KHWind31:006 Rev. E (received 29/10/18) supersedes Drawing No: KHWind31:006 Rev. D and delineates the boundaries between 31 Windermere Road and 29 and 33 Windermere Road. The plan is annotated to state 'no parts of gutters or foundations to oversail boundary'.

1.3 Officers are satisfied that the entirety of the proposed development would take place within the curtilage of 31 Windermere Road. The applicant is reminded that during the course of construction, no part of the development would encroach on, under or across the boundary line with neighbouring properties, as the requisite Notice has not been served. The permission would not confer any right of access onto land that is not under the developer's control. The obligations and requirements of the Party Wall Act (1996) would apply to the proposed development.

1.4 Following the receipt of Drawing No: KHWind31:006 Rev. E, a further letter of representation was received, with regard to the following:

- The position of the fence illustrated between 29 and 31 Windermere Road is incorrect *Officer note: the amended plan delineates the*

boundaries to 29 and 33 Windermere Road, stating that no parts of gutters or foundations to oversail the boundary. Officers are satisfied that the entirety of the development would be contained within the curtilage of 31 Windermere Road, in accordance with the Certificate of Ownership signed with the application.

- *The altered roof line of the upper floor of the side extension doesn't mirror the roof line of the rest of the properties in the street Officer note: officers are satisfied that the set back from the principal elevation and the set down from the original ridgeline retains the subservience of the extension. It is acknowledged that the proposed extension would alter the appearance of the original dwelling, but it is sufficient in its design and proportion that it doesn't detract from the original buildings appearance, or cause a significant degree of harm to the character and appearance of the surrounding area.*
- *Concern that failure of guttering to the side extension would cause damage to the fence, patio, house and extension of 29 Windermere Road Officer note: not a material planning consideration. The development would be subject to compliance with the relevant building regulations.*
- *Does building up to the boundary maintain a sufficient gap between 29 and 31 Windermere Road? How wide should any gap be? Officer note: there is no minimum gap that must be maintained to the boundary. The entirety of the development would be within the curtilage of 31 Windermere Road, in accordance with the Certificate of Ownership signed with the application. While it would be preferable for the extension to be set away from side boundaries, the proposal is not considered to cause a significant degree of harm to the residential amenity of 29 Windermere Road as a result of extending up to the boundary.*
- *Why was notice of the planning application not posted outside the property? Officer note: The Town and Country Planning (Development Management Procedure) (England) Order 2015 establishes that for this type of application, the statutory publicity requirements are for the display of a site notice or the sending of neighbour notification letters. Letters were sent to 29, 33, 72 and 74 Windermere Road and 45 The West Hundreds and a site notice was sent to the agent for display. The LPA is satisfied that it has met the statutory publicity requirements for the application.*
- *What will be the permitted construction hours and days of work? Officer note: Due to the minor scale of the proposed development it is not normally considered reasonable to control hours of work by condition on house extensions.*
- *How will construction materials and skips be delivered and stored? Officer note: due to the minor scale of the proposed development, it is not normally considered reasonable to require a construction methods statement for house extensions to control the delivery and storage of materials.*
- *Will permission be sought to use the rear access road for Barnsdale Road residents? Officer note: not a material planning consideration.*
- *Will access to 29 Windermere Road be required to facilitate the build? Officer note: not a material planning consideration. The standard informative advises that the permission would not confer any right of access onto land that is not under the developer's control. The*

obligations and requirements of the Party Wall Act (1996) would apply to the proposed development.

- How will the build proceed if permission is not granted? *Officer note: This would be a civil matter to be resolved.*
- A gap is maintained to the boundary with 33 Windermere Road. Why has a gap not been maintained to the boundary with 29 Windermere Road? *Officer note: as above, in extending to the boundary with 29 Windermere Road the proposed development is not considered to cause a significant degree of harm to the residential amenity of this neighbour*
- 100 Windermere Road were not given the option to set back their extension at the first floor. Conflict with the decision of this application *Officer note: not a material planning consideration. The application has been assessed on its own individual merit. Officers considered that slight amendments to the original proposal of this application would enable permission to be recommended*
- Highlighting that smaller developments in the road have been refused planning permission *Officer note: as above, the application is assessed on its own individual merit and is on balance considered acceptable*

1.5 The officer recommendation remains to grant planning permission, as set out in the main report.

1.6 Case Officer: Tom Hughes