

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO. 10

PLANNING APPLICATIONS COMMITTEE: 5 September 2018

Ward: Battle

App No: 180820/FUL

Address: Land Between 10-20 Gloucester Court, Reading, RG30 2TW

Proposal: The erection of a new dwelling comprising 3 bedrooms, front and rear gardens and 2 car parking spaces and retention of 2 car parking spaces for local residents.

Applicant: Mr Steve Pearce

Date valid: 18 May 2018

Application target decision date: 28 September 2018 (agreed extension).

26 week date: 16 November 2018

RECOMMENDATION

Subject to an appropriate Affordable Housing contribution being agreed:

Delegate to Head of Planning, Development and Regulatory Services to:

i) GRANT Full Planning Permission, subject to the satisfactory completion of a S.106 legal agreement to secure the sum of £ [TBC in Update Report] towards the provision of Affordable Housing in the Borough. To be paid prior to first occupation and index-linked from the date of permission.

(The S106 to be subject to such terms and conditions that the Head of Legal and Democratic Services considers appropriate and in the best interests of the Council.)

And

Subject to conditions, to include the following:

(pre-commencement conditions labelled '(PC)')

- TL1 Time Limit - 3 years
- M2 - Materials to be submitted (PC)
- Extended Phase 1 Habitat Survey to be submitted prior to commencement including presence/absence of Japanese knotweed and any mitigation measures required. (PC)
- L2a - Details of Hard and Soft Landscaping (PC)
- L2b - Landscaping Implementation
- L3 - Landscaping Maintenance
- L6A - Arboricultural Method Statement and Tree Protection Plan (PC)
- CO2 - Construction Method Statement (PC)
- L6B - Development in accordance with AMS/TPP
- DC1 - Vehicle parking space provided in accordance with approved plans
- DC3 - Bicycle parking space provided in accordance with approved plans
- DC6 - Bin storage in accordance with approved plans
- DC7 - Parking permits 1 - addresses
- DC8 - Parking permits 2 - information
- Car Parking Management Plan - details of how the car parking spaces are to be allocated and managed, including signage, to be submitted to and approved in writing by the local planning authority prior to occupation.
- PD1 - PD Rights removal (Class A (enlargement improvement or alteration), Class B

(roof enlargement) or Class E (outbuildings))

- PD3 - First floor windows in north and south elevations to be obscure glazed.
- CO1 - Hours of construction
- CO8 - No burning of construction waste on site.
- Levels to be as per approved drawings.

Informatives

- Parking Permits

ii) to REFUSE permission should the S106 legal agreement not be completed by 28 September 2018, unless the Head of Planning, Development and Regulatory Services agrees to a later date for completion of the agreement.

1. INTRODUCTION

- 1.1 The site is located within land previously forming part of the garden of 72 Tilehurst Road, but which has been subdivided into a separate vacant plot for some time and is now overgrown. The plot is adjacent to houses and access road at Gloucester Court to the north of Tilehurst Road. The majority of the site is separated from Gloucester Court behind a brick wall with 5 existing parking spaces beyond the wall, accessed directly from Gloucester Court.
- 1.2 The northern end of the site is broadly level with 10 Gloucester Court before rising increasingly steeply to the south towards Tilehurst Road.
- 1.3 The application has been called-in for determination by Planning Applications Committee by Cllr Maskell in view of local interest and the planning history.



Site location plan



Site Photograph

2. RELEVANT PLANNING HISTORY

142012/FUL - Two new build dwellings including two car parking spaces for each dwelling. Withdrawn

151591/PRE - Pre-application advice for 3 new-build flats with 1 parking space per flat and additional parking spaces for occasional use. Observations sent.

160482/FUL - Two new build dwellings and associated parking. Refused. Appeal APP/E0345/W/16/3161485 dismissed.

171093/PRE - One new build 4-bedroom dwelling and associated parking following previous refusal dismissed on appeal (160482) (amended description).

3. PROPOSALS

3.1 Full planning permission is sought for one detached dwellinghouse on the land adjacent 10 Gloucester Court. The proposals have been amended during the course of the application to reduce the extent of the building on its southern flank, with a new single storey element to the east. The access path, bin store and shed have also been amended.

3.2 Information Submitted with the Application:

Drawings

5080-A-100 Rev.C dated 8 July 2018

5080-A-101 Rev.D dated 8 July 2018

5080-A-102 Rev.D dated 8 July 2018

5080-A-104 Rev.E (undated) received 10 July 2018

Documents

Design and Access Statement

CIL

- 3.3 Based on the stated floor area of 78sqm GIA, the proposals would result in a basic Community Infrastructure Levy charge of £11,488.62 [eleven thousand four hundred and eighty eight pounds and sixty two pence], based on the current 2018 rate of £147.29 per square metre. This is subject to the usual exceptions and reliefs that exist in the CIL Regulations. This gives an indication of the likely CIL outcome but is provided without prejudice to further examination of the CIL application by the Council.

4. CONSULTATIONS

RBC Transport

- 4.1 The site is located between 10 and 20 Gloucester Court. 5 parking spaces exist to the front of the site which were provided as casual spaces under planning application reference 79/TP/1319.
- 4.2 Full Planning Permission was refused by Reading Borough Council under reference 160482 by notice dated 3 June 2016 for two new build dwellings on land to r/o 72 and 74 Tilehurst Road between 10 and 20 Gloucester Court Gloucester Court. One of the refusal reasons related to the loss of two casual spaces for the occupiers of Gloucester Court and the lack of adequate manoeuvring space.
- 4.3 At appeal, the Inspector disagreed with the Council's decision that the proposal would result in a lack of parking for future and existing residents stating;
- "I conclude on this issue that the parking provision for the proposed houses would be appropriate to the needs of the development and would not harmfully intensify the pressure for on-street parking in the wider area leading to highway safety and traffic conflicts".*
- 4.4 Therefore, this application has been assessed on the basis of the Inspector's findings, given that there has been no material change in circumstances since the last appeal decision.
- 4.5 The site is located in Zone 2, Primary Core Area of the Council's Adopted Parking Standards and Design SPD. The required parking provision for development is 1.5 spaces per 3 bed dwelling equating to a 2 spaces. This is the required standard given the SPD is written in accordance with national policy as contained within the National Planning Policy Framework (NPPF), therefore the final requirement has taken in to account local circumstances including car ownership figures, public transport provision and proximity to local facilities.
- 4.6 Four car parking spaces are proposed in total: 2 for the proposed new dwelling and 2 for local residents of Gloucester Court. This level of parking was accepted as appropriate by the Inspector, therefore, RBC Transport have no further grounds to object to this application. However, the Gloucester Court is within a Residents Permit Parking Zone 07R where there is significant pressure for on-street parking. Therefore, the conditions and informatives should be applied to ensure the new dwelling is not entitled to a Resident's Parking Permit.
- 4.7 The cycle and bin store is conveniently located at the front of the site which will provide easy access for residents and refuse collection.
- 4.8 In view of the above, there are no transport objections to the proposal.

Ecology

- 4.9 The application site may contain habitats that are suitable for use by protected species and surveys to confirm their presence or absence will need to be undertaken. The ecological appraisal should also identify the presence/absence of Japanese knotweed or other invasive species.

Thames Water

- 4.10 There may be public sewers crossing or close to the development. The applicant is advised to read our guide working near or diverting TW pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.
- 4.11 With regard to surface water drainage, 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 TW website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
- 4.12 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
- 4.13 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 Environmental Protection

- 4.14 EP commonly receive complaints about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and about smoke from bonfires associated with the burning of waste on site of minor developments.
- 4.15 EP recommend that hours of construction are controlled and that there should be no burning of waste on the site.

RBC Natural Environment

- 4.16 With reference to NE comments for 160482/FUL and the reduced footprint of the current proposal, NE would have no objections to the development, subject to suitable protection being secured for the conifer within the garden of 74 Tilehurst Road adjoining the site.
- 4.17 **Public Consultation Responses**
- Loss of parking - impact on parking for neighbours.
 - Gloucester Court has very limited parking and also has a very narrow entrance. To remove three of the five current parking spaces available to residents would be disastrous, and to have builders and their large machinery and associated vehicles in the cul de sac would cause unimaginable inconvenience. It must not be allowed to proceed.
 - Noise and disturbance during construction.

- The position of the 2 parking spaces for local residents are not clearly identified. I request that when the building is complete the parking for the residents is clearly identified.
- The upper north elevation landing window looks directly down into the side of my property. I would request that this window be obscure glazed for my privacy and security.
- Although the plans refer ambiguously to two parking spaces for 'residents', the plans do not show which spaces these are, and there does not seem to be any clarification of such in the design and access statement. Therefore I would request that the Council ensure that these two spaces for 'residents' are actually provided and maintained. Furthermore, the same spaces could potentially also be used by the new vendor once the new build is complete. This would clearly be unfair and cause antagonism towards current property owners in Gloucester Court who will be badly affected by the loss of their current parking spaces once the build is completed. I would request also that signage be very clear in this respect so that no future issues arise with regards to the two 'residents' spaces.

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 Policy

National Planning Policy Framework (2018)
National Planning Practice Guidance

Reading Borough Local Development Framework Core Strategy (2008)

CS1 (Sustainable Design and Construction)
CS2 (Waste Minimisation)
CS4 (Accessibility and the Intensity of Development)
CS5 (Inclusive Access)
CS6 (Settlement Boundary)
CS7 (Design and the Public Realm)
CS9 (Infrastructure, Services, Resources and Amenities)
CS15 (Location, Accessibility, Density and Housing Mix)
CS20 (Implementation of The Reading Transport Strategy)
CS24 (Car/Cycle Parking)
CS34 (Pollution and Water Resources)
CS36 (Biodiversity and Geology)
CS38 (Trees, Hedges and Woodlands)

Sites and Detailed Policies Document (2012)

SD1 (Presumption in Favour of Sustainable Development)
DM1 (Adaptation to Climate Change)
DM3 (Infrastructure Planning)
DM4 (Safeguarding Amenity)
DM6 (Affordable Housing)
DM10 (Private and Communal Outdoor Space)
DM11 (Development of Private Residential Gardens)

DM12 (Access, Traffic and Highway Related Matters)
DM18 (Tree Planting)

SPG/SPD

- Planning Obligations Under S106 SPD 2015
- Affordable Housing SPD 2013
- Revised Parking Standards and Design SPD 2011

6. APPRAISAL

Character and Appearance

- 6.1 Previous concerns expressed in relation to withdrawn application 142012/FUL and pre-app 151591/PRE) related to the size of the dwellings and their plot coverage. The proposals refused under application 160482 also extended across much of the plot leaving minimal outdoor space, or setting, for the building. The Inspector, in dismissing the subsequent appeal, found that the site "*has more affinity with the area to the north, south and east which has a looser grain and more spacious pattern of development.*". The design has been amended, reducing the amount of development to a less intensive single dwelling contained within a smaller building. It is considered that whilst the development would reduce the spacious character, it is now, on balance, sufficiently small to avoid harm to the character of the area and no longer conflicts with policies CS7 and DM11. The style and appearance of the proposed house is considered to be appropriate within the context of the modern housing surrounding the site.

Amenity of Neighbours

- 6.2 The relationship with neighbouring dwellings is similar to the previous appeal scheme 160482/FUL. Windows are shown at first floor looking north toward the neighbour and south toward the rear garden of 72 Tilehurst Road. It is considered reasonable to require these to be obscure glazed. The Appeal Inspector decided that overlooking to the communal garden of Bayeux Court was not a concern. The east facing windows of the proposed house are considered to be acceptable on this basis.

- 6.3 The proposed building would sit parallel to no.10 Gloucester Court and would not result in overbearing effects or loss of light. Other neighbouring properties are further from the new building and would not be harmed.

- 6.4 As with all building work some noise and disturbance during construction is inevitable. Standard conditions limiting the hours of work and requiring a Construction Method Statement to be agreed are recommended.

Amenity of Future Occupiers

- 6.5 The use of the site for a single dwelling removes the previous pressures in terms of daylight, outlook and garden space which were concerns under 160482/FUL. The proposed house would have reasonable daylight and outlook to all rooms. The garden area is a good size for a family dwelling and the general layout and access arrangements would be convenient for future occupiers.

- 6.6 The proposals are considered to be in accordance with Policies DM4 and DM10 on this basis.

Transport

- 6.7 The Transport comments are set out in full in the consultation section above. It is considered that these are an appropriate assessment, given the findings of the Appeal Inspector. The proposal would therefore provide sufficient parking for future occupiers of the development and would retain some communal off-street parking for occupiers of Gloucester Court. The proposal complies with Policies CS2, CS20, CS24 and DM12 on this basis.

Trees

- 6.8 The adjacent conifer tree at 74 Tilehurst Road is large and, although not subject to a TPO, is considered to enhance the visual amenity and character the area and should be protected from any harmful effect of construction works. The Root Protection Area (RPA) may well extend to within the development site and should be plotted to determine whether any construction works were required within its RPA. Although the potential harm to the tree has not been fully determined as part of this application, it is considered that full tree protection details could be secured by condition, including any special construction methods required within the RPA. Policies DM11 and CS38 apply.

Ecology

- 6.9 The site is overgrown and former garden land. Based on Ecologist advice, an Extended Phase 1 Habitat Survey is required prior to commencement to confirm the absence of protected species, or secure mitigation where found, before construction. There is the potential for Japanese Knotweed to be present and the survey would need to identify this and detail mitigation where necessary. Policy CS36 applies.

Affordable Housing

- 6.10 Policy DM6 would require a contribution to allow 10% of the dwellings to be provided as Affordable Housing elsewhere in the Borough, equating to 0.2 dwellings.
- 6.11 In considering the weight to be given to Policy DM6, relative to any other material considerations, it is relevant that a significant need for Affordable Housing exists within the Borough, as demonstrated by the up-to-date assessment contained within the 'Berkshire (including South Bucks) Strategic Housing Market Assessment' (February 2016). Furthermore a significant proportion of housing is provided on smaller sites within Reading due to its largely previously developed, urban, nature. There is therefore a need for these smaller sites to deliver a proportion of Affordable Housing. For these reasons it is considered that Policy DM6 remains relevant to this application and is not outweighed by other material considerations, including the changes in national policy guidance. The Appeal Inspector for 160482/FUL when considering DM6 in light of national policy, determined that *"I appreciate the intention of the WMS was to ensure that financial contributions should not become a disproportionate burden to small developers and thereby frustrate housing supply; it is a material consideration to which I attach great weight. However, it does not, given the circumstances of this proposal and the acute and substantial need for affordable housing in the Borough, and the significance of small sites in achieving the aim of SDPD Policy DM6, outweigh the development plan. Accordingly, the need for the contribution sought by the Council arises from the proposal and satisfies the tests in Regulation 122(2) of the Community Infrastructure Regulations 2010 and paragraph 204 of the Framework."* It is considered that this remains the case following publication of the revised NPPF in 2018.

- 6.12 A S106 legal agreement securing an appropriate contribution towards Affordable Housing will need to be completed. The current application does not include details relating to the Gross Development Value of the proposals and this prevents the contribution being calculated in accordance with the Affordable Housing SPD. The applicant has indicated that these details will be forthcoming prior to Committee and will therefore be reported in an Update Report. The recommendation reflects this.

Equality

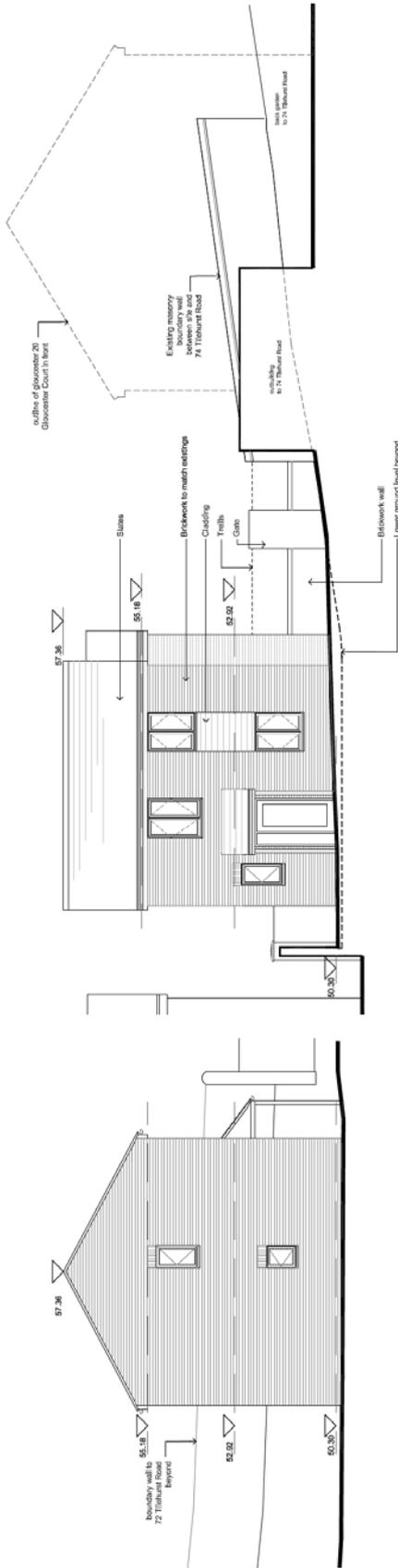
- 6.13 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, 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 Subject to an appropriate Affordable Housing contribution being agreed, the proposed development is considered to be acceptable and is recommended for approval on the basis of the above report.

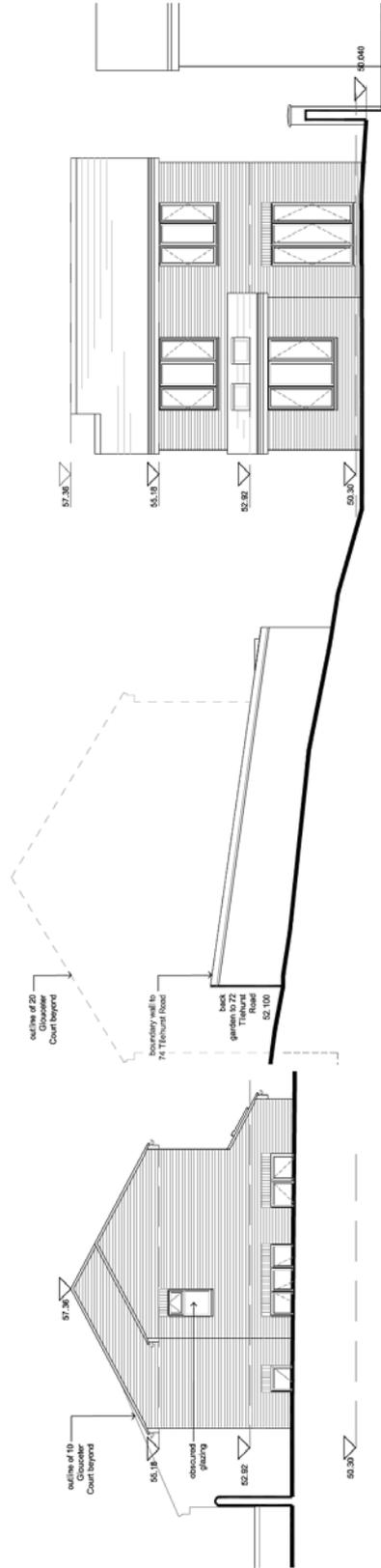
Case Officer: Steve Vigar

Proposed Elevations



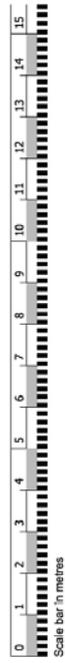
Proposed North Elevation

Proposed West Elevation

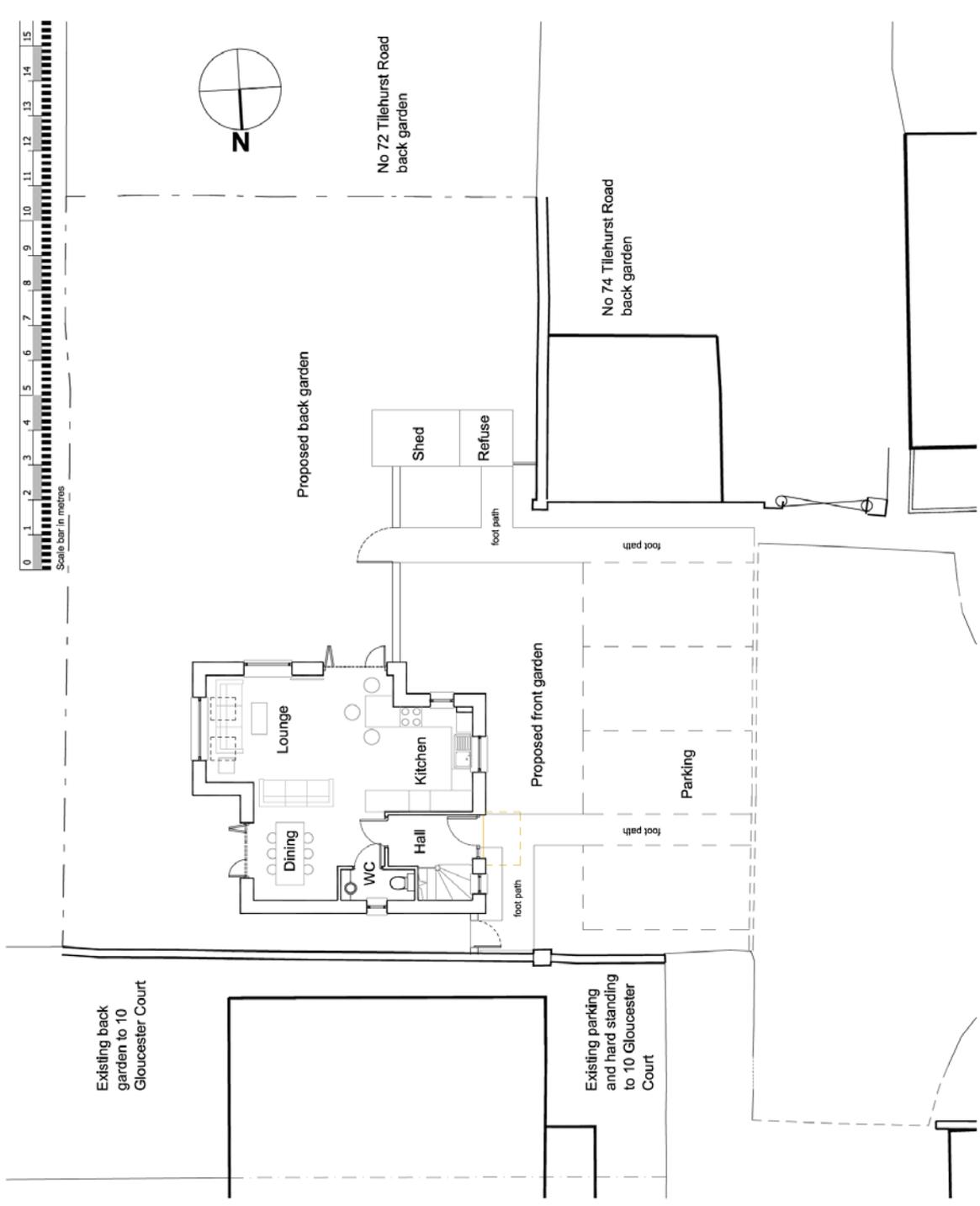


Proposed South Elevation

Proposed East Elevation



James Matley A R C H I T E C T  <small>37 Gloucester Street Bristol BS5 9HW Tel: 0114 854188 Architects Registration Board jamesmatley.co.uk James Matley is a member of the Royal Institute of British Architects (RIBA)</small>	STATUS PLANNING	TITLE Proposed Elevations
	JOB Gloucester Court, Reading, RG30 2TW	SCALE 1:100 @ A3
	DATE 01/18	REV E



Proposed Ground Floor Plan

Do not scale from drawing, use figured dimensions only—Subject to site survey and all necessary consents. All dimensions to be given in metres. All dimensions to be rounded up to the nearest millimetre. The Architect before work commences. This drawing is to be read in conjunction with other relevant materials.

REV	AMENDMENT	DATE
A	For Comment	18/12/17
B	For Comment	10/01/18
C	For Comment	30/06/18
D	For Comment	06/07/18

James Matley
Architect

arb
Architects Registration Board: 407613 824188
James Matley Architects is a trading name of Matley Design Ltd.

PLANNING

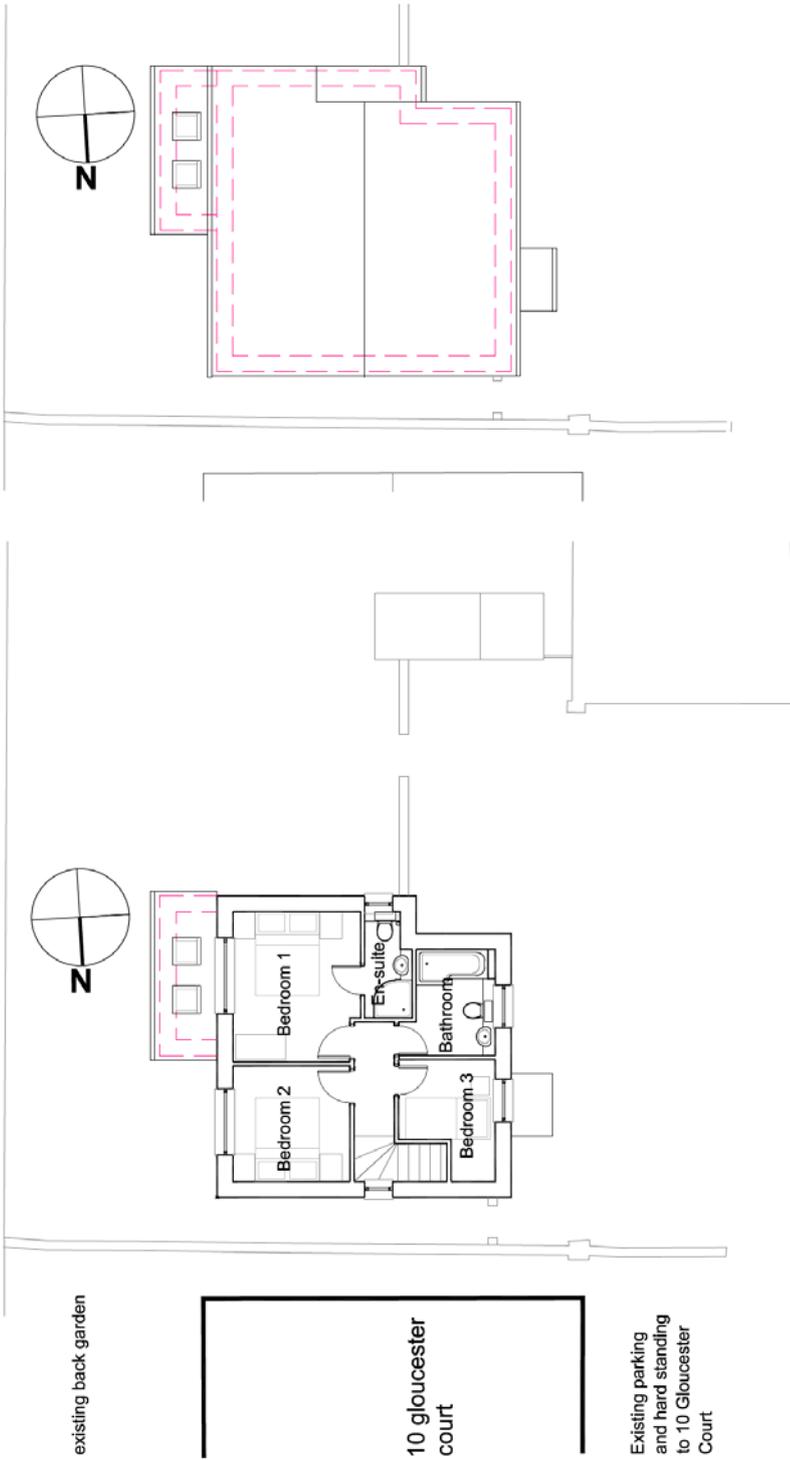
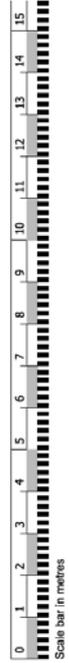
JOB
Gloucester Court,
Reading,
RG30 2TW

TITLE
Proposed Ground Floor

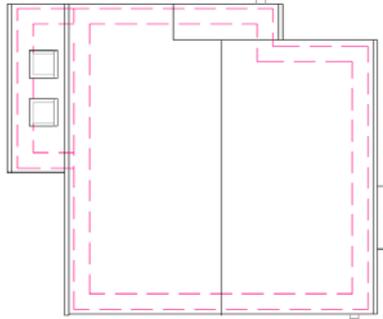
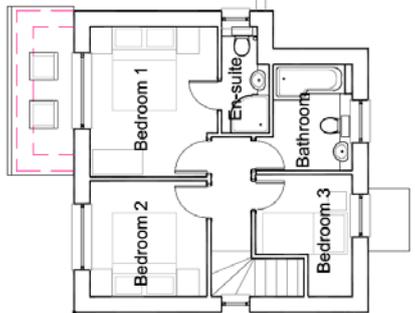
SCALE	INITIAL
1:100 @ A3	JM
DRAWING NUMBER	DATE
5080-A-101	01/18
REV	D

Proposed First Floor Plan

Do not scale from drawing; use figured dimensions only. Subject to site survey and checked by user and any discrepancies, errors or omissions to be reported to the Architect before work commences. This drawing is for information only and is not to be used for any other purpose without the written consent of James Matley Architects.



Proposed First Floor Plan



Proposed Roof Plan

James Matley Architects
 37 Garrons Street
 B50 5RW
 Architects Registration Board M. 0013 844 188
 james.matley.architects@jamesmatley.co.uk
 James Matley Architects is a trading name of Matley Design Ltd.

PLANNING
 JOB
 Gloucester Court,
 Reading,
 RG30 2TW

TITLE
 Proposed Upper Floors

SCALE	INITIAL	DRAWING NUMBER	DATE	REV
1:100 @ A3	JM			
5080-A-102		01/18		D

APPENDIX 2 - Site Photographs

