

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 11 November 2015

ITEM NO. 17

Ward: Tilehurst

App No.: 151144/FUL

Address: Land to the rear of 52 Norcot Road

Proposal: 2 x 2 bed Semi-detached houses to the rear of 52 Norcot Road,
including landscaping and vehicular access

Applicant: Mr Sanjay Sharma

Date valid: 8 July 15

Minor Application: 8 week target decision date : 28 October 2015

RECOMMENDATION AND CONDITIONS

As per Committee Report (attached)

1. INTRODUCTION

- 1.1 This application was deferred at the Planning Applications Committee of 14 October 2015 to enable Councillors to undertake a site visit. That site visit took place on 5 November 2015.
- 1.2 The previous report is appended.

Appendix

COMMITTEE REPORT

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RECOMMENDATION

GRANT subject to completion by 28 October 2015 of a S106 legal agreement securing:

- A financial contribution of £23,000 towards affordable housing in conjunction with policy CS16 (Affordable Housing) of the Reading Borough LDF Core Strategy and DM6 (Affordable Housing) of the SDPD that will enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the Borough. Payment to be index linked from the date of permission and made prior to first occupation of the development.

If the obligation is not completed by 28 October 2015, delegate to officers to REFUSE as contrary to Policies CS16 (Affordable Housing) of the Reading Borough LDF Core Strategy and DM6 (Affordable Housing) of the SDPD, unless the Head of Planning and Building Control agrees to a later date for completion of the agreement.

CONDITIONS TO INCLUDE

1. TL01 - Full time limit (3 years).
2. NSTD - Approved Plans.
3. M2 - Materials - Details to be submitted.
4. AM1 - Obscure glazing to side facing first floor window.
5. No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
6. No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options,

and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

7. The remediation scheme shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority prior to construction of the development.
8. In the event that contamination not previously identified is found at any time when carrying out the approved development, development must be halted on that part of the site and it must be reported in writing to the Local Planning Authority. Following that an assessment of the nature and extent of contamination must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.
9. No development shall take place before a scheme has been submitted to and approved in writing by the Local Planning Authority, which specifies the provisions to be made for the control of noise and dust emanating from the site during the demolition and construction phase. Thereafter, the use shall not commence until the approved scheme has been fully implemented.
10. The hours of noisy construction, demolition and associated deliveries shall be restricted to the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior approval from the Local Planning Authority.
11. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.
12. No dwelling shall be occupied until the access(es) has/have been constructed in accordance with the approved drawing and in compliance with the requirements of the Local Planning Authority for work carried out within the public highway.
13. No dwelling shall be occupied until vehicle parking space has been provided in accordance with the approved plan. The space shall thereafter be kept available for parking at all times.
14. The covered bicycle storage spaces shown on the approved drawings shall be provided and equipped with secure Sheffield cycle stands before occupation of the dwellings to which they relate.
15. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority.
16. No development shall take place until full details of both hard and soft landscaping have been submitted to and approved in writing by the local planning authority.
17. The hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out before any of the development is occupied or in accordance with a timescale which has been agreed in writing with the local planning authority. Any trees or plants which within a period of 5 years from planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.
18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no dwelling hereby permitted shall be converted to a use falling within Class C4 (houses in multiple occupation) of the

Schedule to the Use Classes Order. Reason: in the interest of the amenity of future occupants, and the character of the surrounding area.

INFORMATIVES TO INCLUDE

1. For further information about construction and demolition nuisance law the applicant is referred to: <http://www.reading.gov.uk/residents/environmental-health-and-protection/construction-demolition/>
2. The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.
3. Any works affecting the highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should be made aware that compliance with this document is mandatory and licences to work on the highway will only be issued if the requirements contained within it are met. A copy can be obtained at <http://www.reading.gov.uk/ltp/General.asp?id=SX9452-A782F664> (within the Transport Strategy area of the Transport Section on the Reading Borough Web Site).
4. Standard positive and proactive informative.
5. Standard approved plans informative.
6. Standard encroachment informative.
7. Standard Section 106 informative.
8. Standard conditions precedent informative.

1. INTRODUCTION

- 1.1 The application site comprises land to the rear of 52 Norcot Road which consists of a ground floor commercial use (beauty salon) and a first floor flat. To the east of the site is Sona Gardens, a recently completed development of 7 dwellings. To the south east is a listed water tower. To the west of the site is a development of 3 houses currently under construction.
- 1.2 This application, which would normally be dealt with under delegated powers, is reported to Planning Applications Committee at the request of Councillors Duveen. Councillor Page had requested the application go to Planning Committee if officers were minded to recommend refusal.



2. PROPOSAL

2.1 The application is for the erection of a pair of two bedroom houses.

3. PLANNING HISTORY

- 900854 (90-00346-FUL). Change of use of garden land to turning area to serve existing offices at 50a Norcot Road. Granted.
- 080166 (08-00881-FUL). Construction of a detached four-bedroom house plus parking. Application withdrawn.
- 091492 (10-00010-OUT). Construction of a 3-bedroom detached house and 2 parking spaces. New access and demolition of existing store (access and layout only). Application withdrawn.
- 101083 (10-00940-OUT). Construction of a 3 bedroom detached house with 2 parking spaces and new access and demolition of outdoor store (access and layout only). Granted.
- 110789 (11-01228-FUL). Change of use of existing ground floor shop and office to 1 x 1-bed and 1 x 2-bed flats and first floor rear extension to incorporate the conversion of existing 2 bed-sits into 1 x 1-bed and 1 x 2-bed flats. Refused.
- 110038 (11-01758-FUL). Change of use of the existing ground floor shop and office to one 1-bed and one 2-bed flats plus rear extensions to incorporate the conversion of the 1st floor from 2 bedsits to two 1-bed flats (resubmission of 11/01228/FUL). Granted.
- 130162 (13-00192-NMC). Non-material amendment for relocation of parking space. Agreed.
- 140249. Application for approval of reserved matters following outline approval. (10/00940/OUT). Granted.

4. CONSULTATIONS

4.1 Statutory:

No statutory consultations were required given the nature of the application.

4.2 Non-statutory:

- Transport Development Control - no objection subject to conditions
- Environmental Health - no objection subject to conditions
- Natural Environment Officer - no objection subject to conditions
- Cllr Duveen - concern relating to parking implications

4.3 Public consultation:

- 51 properties were consulted by neighbour consultation letter. A site notice was displayed by officers. The consultation period expired on 31 July 2015.

7 comments/objections to the application have been received. In summary the comments are:

- The proposal is provided with inadequate parking.
- The existing access road conflicts with a bus stop.
- The proposal would result in overlooking.
- Cars are currently parked in ways that are dangerous
- Building work could have a detrimental impact on a neighbouring business

5. RELEVANT PLANNING POLICY AND GUIDANCE

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'.

The following local and national planning policy and guidance is relevant to this application:

5.1 National Planning Policy Framework

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 12 - Conserving and enhancing the historic environment

5.2 Reading Borough Local Development Framework Core Strategy

CS7 (Design and the Public Realm)

CS15 (Location, Accessibility, Density and Housing Mix)

CS16 (Affordable Housing)

CS24 (Car/Cycle Parking)

CS33 (Protection and Enhancement of the Historic Environment)

5.4 Sites and Detailed Policies Document

SD1 (Presumption in Favour of Sustainable Development)

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)

5.4 Reading Borough Council Supplementary Planning Guidance

- Parking Standards and Design (Supplementary Planning Document).
- Affordable Housing SPD

6. APPRAISAL

Main Issues

- 6.1 The main issues are:
- i. Principle of development
 - ii. Impact on character and appearance of site and surroundings.
 - iii. Impact on neighbours.
 - iv. Transport issues.
 - v. Residential amenity.

Principle of development

- 6.2 The application site comprises a parcel of land that is situated within an accessible area. There is an extant planning permission on this site for the erection of a detached house (101083/OUT and 140249/REM refer). During the assessment of 101083, officers stated that, to be acceptable, development on private gardens must also be acceptable in terms of the character of the area. The erection of a detached dwelling was considered to have an acceptable impact on the character of the area. The impact of the proposed semi-detached houses is assessed in more detail below.

Impact on the character and appearance of the site and surroundings

- 6.3 The surrounding area comprises a mix of different dwelling types and plot sizes. Sona Gardens, to the east of the site, comprises three detached houses on fairly small plots, and 4 smaller 2 storey dwellings. Located to the south of the site are the long rear gardens of properties on Recreation Road. To the west is a new development comprising a pair of semi-detached dwellings and a link detached house. The properties to the north of the site are a mixture of terraced, detached and semi detached buildings, and a number are occupied by commercial uses.
- 6.4 Officers initially expressed a concern that the provision of two dwellings, rather than the consented single dwelling, would result in the creation of two plots that would be uncharacteristically small in comparison to neighbouring properties. In response the applicant's agent submitted a diagram indicating that the size of the two plots, 120 square metres and 150 square metres respectively, is not dissimilar to neighbouring plots that measure between 100 square metres to 200 square metres. Officers are therefore satisfied that, in terms of the sizes of the plots, the proposal would be largely in keeping with the prevailing pattern of development.
- 6.5 The proposed dwellings would be fairly simple in design, reflecting the appearance of neighbouring buildings. The simplicity of the design will also ensure that the development will not take emphasis away from the listed water tower, and that this will remain the most prominent structure.

- 6.6 The plans as originally submitted proposed a pair of box dormers to the rear elevation. Officers were concerned these would have a detrimental impact on the appearance of the houses and on the setting of the listed building. Amended plans have been received proposing two smaller pitch roofed dormers to the front, and two to the back. These are considered to have an acceptable impact on the appearance of the proposed dwellings and on the setting of the listed building.
- 6.7 Given the proximity of the proposal to the listed building use of appropriate materials will be important. It is therefore recommended that a condition is attached to the permission requiring the submission of details relating to materials.
- 6.8 Under the provisions of the General Permitted Development Order, either of these properties could be converted to a small HMO of between 3 and 6 persons (use class C4). The houses are relatively limited in size and it is considered that they are only big enough to accommodate small families. It is therefore recommended that a condition is attached to this permission removing the permitted development right to change the use from C3 (dwellinghouses) to C4. The applicant has confirmed they have no objection to this restriction.

Impact on neighbours

- 6.9 The ground floor windows in the rear of 52 Norcot Road serve a beauty salon. The only first floor window is obscure glazed. Rear facing windows in 54 Norcot Road serve a commercial use. There will therefore not be a loss of residential amenity in these buildings. A glazed door in the rear of 50 Norcot Road is approximately 18.8 metres from rear windows in the proposed dwellings. However, this would not be a direct line of sight and as such privacy is not considered to be unduly compromised in either the existing or proposed property.
- 6.10 The first floor window serving the hallway in Plot B will be 12 metres from a window serving one of the flats in the water tower. Officers expressed concern that this relationship would compromise privacy in both dwellings. Amended plans have been submitted indicating that this window would be obscure glazed. It is recommended this is secured by condition.
- 6.11 The front facing windows will be approximately 12.5 metres from the rear boundary of properties on Recreation Road, and at least 56 metres from the dwellings themselves.
- 6.12 There are no side facing windows in the new dwellings to the rear of 50 Norcot Road and the proposal is not considered to have an overbearing impact on these properties or result in an unacceptable loss of light.

Transport Issues

- 6.13 The site is located in Zone 3, Secondary Core Area and the required parking provision for the proposal is 1.5 spaces per dwelling, a total requirement of 3 parking spaces. The proposal provides three on-site parking spaces, and therefore the development meets the requirements of the Parking Standards and Design SPD. The Council's Transport Strategy Section confirm that the access and manoeuvring arrangements are acceptable.

- 6.14 A number of the objectors to this application have expressed concern that if the properties were to be converted to small HMOs (C4) this could increase the number of vehicles owned by occupants of the dwellings. The Parking Standards SPD requires the provision of 0.25 spaces per HMO room. Therefore, even if one of these properties were to be converted to a 6 room HMO, which is considered to be unlikely given their very limited size, it would have a parking requirement of 1.5 spaces, the same as that provided. Nonetheless, the removal of the permitted development right to change from C3 to C4, as noted in paragraph 6.8, should overcome this concern.

Residential amenity

- 6.15 The room sizes within the proposed dwellings would meet the Council's minimum standards and all habitable rooms would have an acceptable outlook. In terms of their size the gardens would have an area that is approximately 66% of the area of the houses themselves. This is more generous than the ratio that was considered acceptable at a number of the new dwellings at Sona Gardens, where the ratio was at least 51%. At 49 square metres the gardens of both properties are considered to be large enough to accommodate typical garden activities as noted in Policy DM10, namely space for sitting-out areas, children's play areas, home food production, green waste composting, refuse storage, general outdoor storage and drying space.

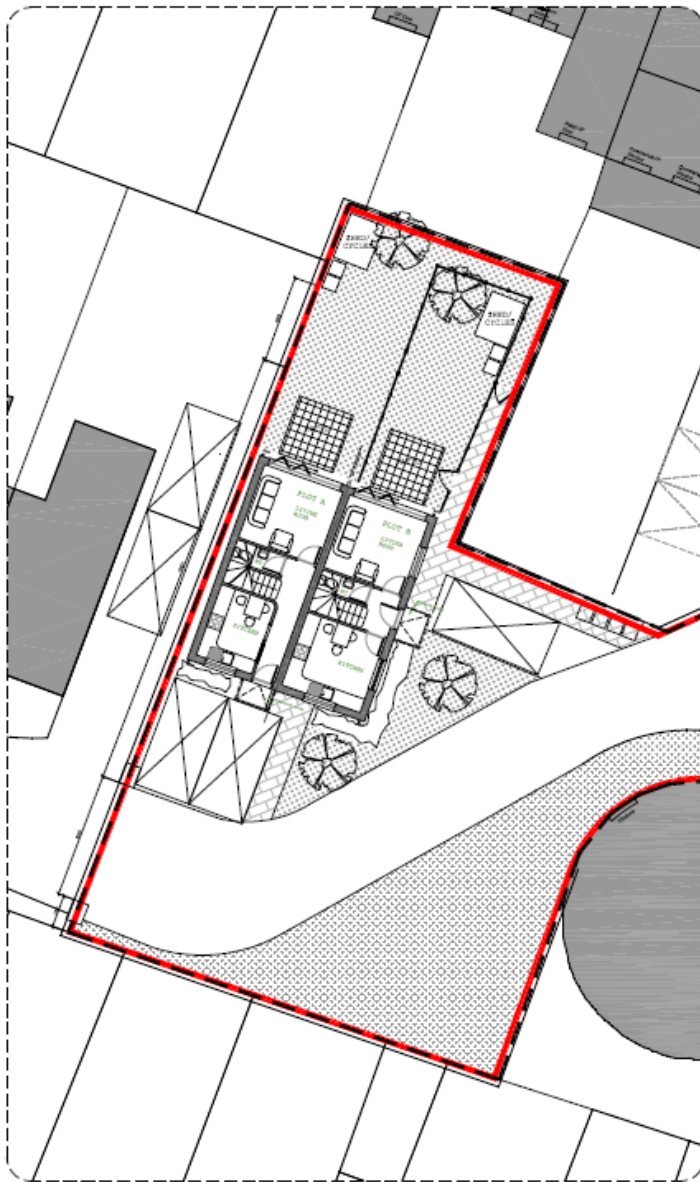
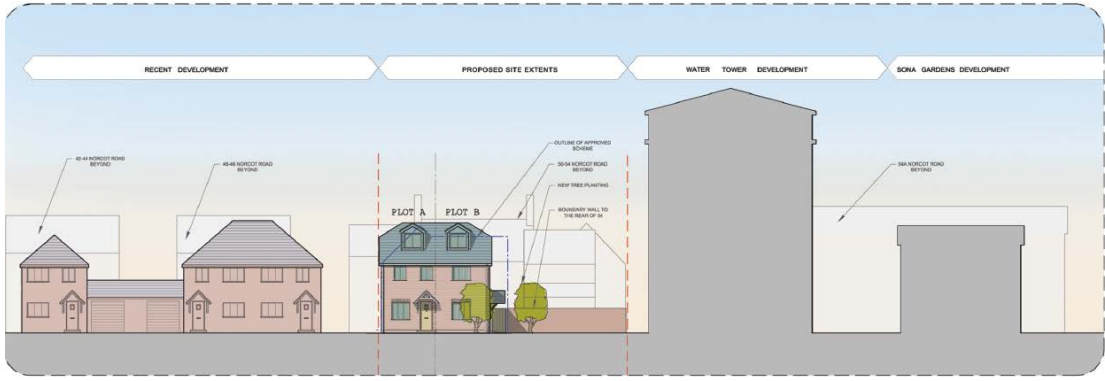
Equalities impact assessment

- 6.16 In determining this application the Committee is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender, sexual orientation. 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.
- 6.17 In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

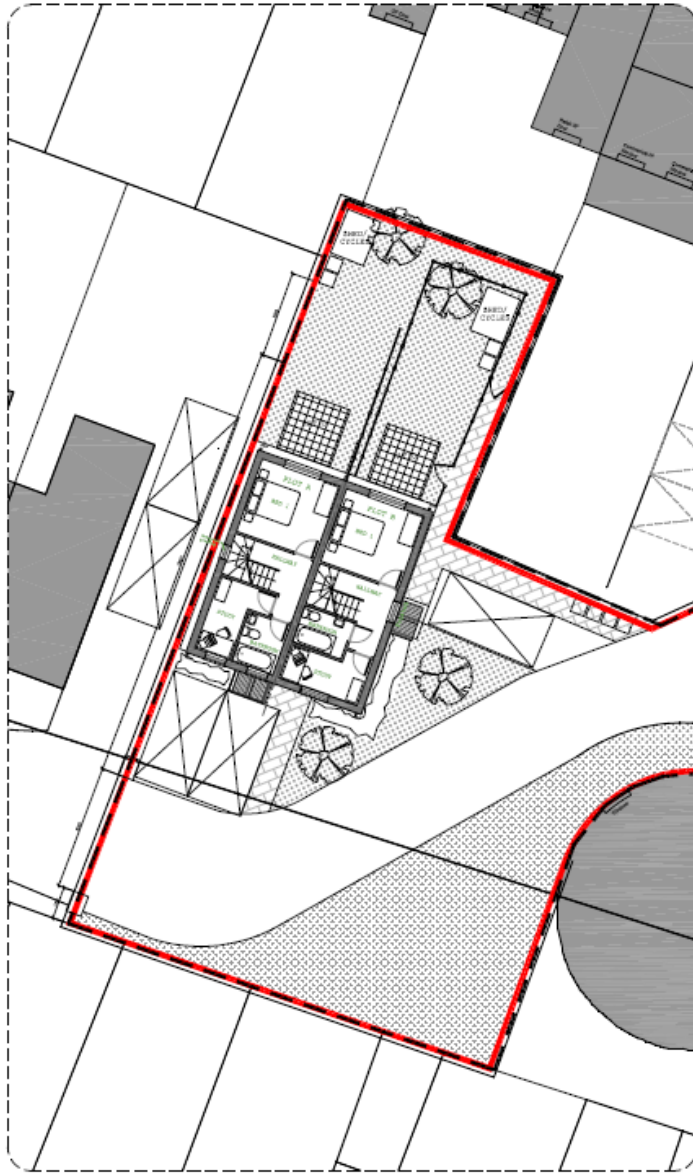
7. CONCLUSION

- 7.1 The proposed development is considered to comply with the relevant Development Plan Policies as assessed above. It is therefore recommended that approval be granted, subject to suitable conditions.

Plans: 097-05-02 P1 and 097-05-10 P2.



Ground Floor



First Floor



Case Officer: Ben Pratley