

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(1)	10/02308/FUL Tilehurst	23 November 2010	Construction of new 3 bedroom detached dwelling house Land to the rear of 154 Overdown Road, Tilehurst, RG31 6NJ Mr A Graves

Recommendation Summary: To **DELEGATE** to the Head of Planning and Countryside to **GRANT PLANNING PERMISSION**

Ward Member(s): Cllr L.F. Zverko

Reason for Committee determination: Level of objection

Committee Site Visit: No

Contact Officer Details

Name: Bob Dray
Job Title: Planning Officer
Tel No: (01635) 519111
Email: BDray@westberks.gov.uk

1. Planning History

There is no relevant planning history within West Berkshire. The following planning history has been provided by Reading Borough Council:

00/00516/FUL First floor side extension over existing garage and kitchen and front porch – granted planning permission.

92/00379/FUL Single storey side extension – granted planning permission.

2. Publicity of Application

Neighbour notification letters have been sent to properties in close proximity to the site, both in West Berkshire and Reading. A site notice has also been displayed on the fence adjacent to Ullswater Drive.

Site Notice Expired: 27 October 2010

Last Neighbour Notification Expired: 28 October 2010

3. Consultations and Representations

Parish Council: This Council believes that an ancient hedgerow is in existence but does not appear to be shown on any of the plans. The Overdown Road Estate was initially one dwelling per plot. Does this still apply? The access to this is on a slope and when the weather is bad, the safety on the highway may be an issue as well as the risk of flooding.

Officer's response: the Countryside Service has no evidence that this is an ancient hedgerow. Legal covenants are not material planning considerations; however, residential density is relevant to the principle of development.

Highways: Access

There have been representations made on the siting of the access near to the bend.

The main highway concern therefore is whether the access complies with visibility splay requirements. A road subject to a 30 mph speed limit would normally require visibility splays of 2 metres x 43 metres for a single dwelling. On the assumption that vehicles are travelling at 25 mph in the vicinity of the site this could be relaxed, in accordance with Manual for Streets, to splays of 2 metres x 33 metres.

Drawing number 11151-08 shows that the visibility splays that can be achieved at the access. The plan complies with Manual for Streets and so the highway authority could not sustain an objection on these grounds.

Highway safety

With regards to vehicle speeds and the siting of the access at the foot of a steep 'fast' hill, the main issue here is whether the access complies with visibility splay requirements.

Traffic generation

With regards to the additional traffic generation. A single dwelling can generate between 6-8 vehicle movements per day. That is 3-4 out and 3-4 in. Given that this is a relatively low level it would be extremely difficult for the highway authority to justify any objections on the grounds of the additional traffic that would be generated. The probability of conflict of movements is too low.

Street lighting column

There is a street lighting column that may require relocating at the cost of the applicant. Due to the age of the street lighting column, the applicant would need to pay for the transfer of the services to Scottish and Southern Electricity, but the Council would pay for a new column to update it in the process.

Red line plan

Concern has been raised that the red line plan includes some land that is within the ownership of West Berkshire Council Highway Authority. This is not the case.

Car parking

Two parking spaces have been proposed which is acceptable for the proposal. However the spaces should be 2.4 metres x 4.8 metres with a 6 metre forecourt depth for manoeuvring.

The applicant proposes to have two parking spaces with on-site turning. The highway authority is not able to request a greater provision of car parking for this dwelling in this location (although note my previous comments on the dimensions which should be rectified). As the parking complies with current guidance, the dwelling should have sufficient car parking for its requirements to remove the potential for roadside car parking. These policies are national guidance and contained within the Local Plan. I am unable to request a greater provision to alleviate concerns that roadside parking may occur. I could certainly not refuse the application on this basis given the relative sustainability of the site.

Cycle storage

A shed should be provided in the rear garden of the dwelling for cycle storage.

Contribution

As the majority of the site is within the jurisdiction of Reading Borough I will not be seeking a contribution. Although the highway network within West Berkshire will see some impact from the development, it is likely that the infrastructure/services within Reading Borough would be impacted more.

Trees: We have no record of the vegetation to the rear of 154 Ullswater Drive being a historic hedge. It is not in a conservation area or covered by a tree preservation order. Recommend a landscaping condition.

Reading Borough Council: No response at time of writing.

Public Protection: No response at time of writing.

Representations: At the time of writing 16 objections have been received raising the following, summarised, concerns and points of objection:

- The existing bend and adverse camber in Ullswater Drive is already detrimental to highway safety.
- The existing bend is particularly dangerous in adverse weather conditions.
- The proposed access would be sited in a position whereby it would exacerbate the problems with highway safety.
- The proposed house would increase the likelihood of on-street parking, which would be detrimental to highway safety.
- Construction traffic may have an adverse effect on highway safety.
- Maintenance of highway land during construction works.
- Overdevelopment of a small plot
- Loss of privacy and daylight to gardens on Overdown Road.
- Risk of flooding and land slippage.
- Noise, disturbance, and construction working hours.
- The recent/ongoing felling of trees and removal of vegetation from the boundary with Ullswater Drive.
- Loss of privacy to properties on Ullswater Drive as a result of removed boundary vegetation.

4. Policy Considerations

National Planning Policy and Guidance

- Planning Policy Statement 1: Delivering Sustainable Development (PPS1)
- Planning Policy Statement 1 Supplement: Planning and Climate Change (PPS1A)
- Planning Policy Statement 3: Housing (PPS3)
- Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9)
- Planning Policy Guidance Note 13: Transport (PPG13)

West Berkshire District Local Plan 1991-2006 Saved Policies 2007

- OVS.1: The Overall Strategy
- OVS.2: Core Policy
- OVS.3: Planning and Community Benefits
- OVS.10: Energy Efficiency
- HSG.1: The Identification of Settlements for Planning Purposes
- TRANS.1: Meeting the Transport Needs of New Development

Supplementary Planning Guidance/Documents and other material considerations

- SPG 4/02: House Extensions (July 2004)
- SPG 4/04: Delivering Investment from Sustainable Development (September 2004)
- Supplementary Planning Document 'Quality Design – West Berkshire'
- DETR/CABE: By Design (Urban design in the planning system: towards better practice)
- DCLG/DfT: Manual for Streets

5. Description of Development

- 5.1 154 Overdown Road is a two storey semi-detached dwelling located largely within Reading Borough. This application seeks full planning permission for the construction of a new 3 bedroom detached dwelling to the rear of the existing property, which fronts onto, and is accessed from, Ullswater Drive. Although the majority of the application site is located within the adjacent district, the north-western corner of the site is within West Berkshire.
- 5.2 The application site comprises the part of the garden of the existing dwelling. The land rises steeply up to Ullswater Drive. Owing to this significant change in ground levels, it is proposed to partially excavate the new dwelling. Consequently, the dwelling would appear as a bungalow when viewed from Ullswater Drive. The front door would be positioned at first floor level and accessed via a bridge which traverses a light well.
- 5.3 The existing curtilage would be subdivided with the curtilage of the new house extending approximately 30m back from Ullswater Drive. The dwelling would be located centrally within the plot, largely in line with 7 Ullswater Drive. A terrace and open amenity space would be provided to the rear, and 2 parking spaces, landscaping and a bin store are proposed within the frontage.
- 5.4 The proposed dwelling measures approximately 8.7m in width and 8.7m in depth. It would have a total ridge height of 7.8m, but would appear to be 5.1m in height when viewed from street level. It would have a dual-pitched gable-end roof using concrete tiles. The walls would be completed with facing brickwork.

Procedural matters

- 5.5 The application site crosses the district boundary with Reading Borough. The majority of the site lies within the neighbouring district, including the proposed house, but the north-western corner of the site falls within West Berkshire.

- 5.6 A parallel application, comprising the same description and plans, has been submitted to Reading Borough Council (ref: 10/01745/FUL) and is currently pending consideration. This application is due to be determined on 15 November 2010.
- 5.7 West Berkshire Council has been consulted on Reading Borough Council's application (10/01745/FUL). Given the level of objection received for this application, the Development Control Manager has also referred West Berkshire Council's consultation response to the Eastern Area Planning Committee.
- 5.8 To make a determination based on development which is proposed outside of the West Berkshire District would be *ultra vires* (beyond the powers of the Council). Consequently, this application should be determined only insofar as it relates to West Berkshire. On this basis the principle of the development, the impact on neighbouring properties, design and other such matters should be considered by Reading Borough Council. An informative should be attached to the decision notice advising that this decision should be read in conjunction with the Reading Borough Council application.

6. Consideration of the Proposal

The main issues raised by this proposal are:

- The impact on the character and appearance of the surrounding area
- The impact on highway safety
- Trees and landscaping
- The impact on local infrastructure, services and amenities

6.1 Character and appearance

- 6.1.1 Policy OVS2 of the West Berkshire District Local Plan requires development proposals to show a high standard of design, including landscape treatment, which respects the character and appearance of the surrounding area. Policy HSG1 states that new housing development should have regard to the existing residential nature of the area surrounding the site.
- 6.1.2 Given that the majority of the application site, including the whole of the proposed house, lies within Reading Borough, the fundamental impact on the character and appearance of the area of the house should be considered by Reading Borough Council. The only elements which are located within West Berkshire are the bin store and part of the access.
- 6.1.3 These elements of the development are considered to have a minimal impact on the appearance of the street scene and the character of the area. Consequently, the application is considered to comply with Policies OVS2 and HSG1 in respect of the character and appearance of the area.
- 6.1.4 The tree officer has requested a landscaping condition to mitigate the visual impact of the proposal on the street scene. Given the small proportion of the site within West Berkshire, it is considered appropriate to request that Reading Borough Council impose a landscaping condition for the whole site and ensure that an appropriate level of screening is provided to the frontage.

6.2 Highway matters

- 6.2.1 Policy OVS2 requires development proposals to comply with highway standards in respect of access and parking. The majority of the objections refer to highway safety. As such, the Council's Highways Authority was asked to specifically consider the issues which were raised.
- 6.2.2 Access to the site is proposed onto Ullswater Drive. Part of this access falls within West Berkshire. A plan showing achievable visibility splays has been submitted for consideration. Taking into account the likely speeds of vehicles, highways officers are satisfied that the proposed access is acceptable.
- 6.2.3 Concern has been expressed by interested parties, that the access would be particularly hazardous in adverse weather conditions. However, because the access complies with highway standards, an objection cannot be sustained on these grounds. The proposed access would not worsen the existing road conditions.
- 6.2.4 The drawings show that adequate off-road parking may be provided to comply with highway standards. The Local Planning Authority cannot insist on a greater level of parking than what is stipulated in the Local Plan. The parking spaces shown in the current drawings are slightly substandard in size, but amended drawings have been requested. Any amendments will be reported in the update sheet, but without any amendments, a pre-condition could ensure the necessary details are approved prior to the commencement of development.
- 6.2.5 A single dwelling can generate between 6-8 vehicle movements per day. Given that this is relatively low in the context of the existing cul-de-sac, the anticipated increase is not considered likely to have a detrimental effect on highway safety.
- 6.2.6 An existing street lighting column is located at the proposed access. This would need to be relocated to enable the development. However, this is not a planning matter. An informative is recommended advising the applicant to contact the Local Highways Authority.
- 6.2.7 The proposed access complies with highway standards and the frontage is capable of accommodating the necessary parking provision and manoeuvring space. As such the proposal is considered to comply with Policy OVS2 in this respect.

6.3 Trees and landscaping

- 6.3.1 The site contained several small trees along the rear boundary with Ullswater Drive. These have recently been removed. During the course of this application, the neighbouring property (not the applicant) has also removed some trees and vegetation, and this has generated some complaints from local residents. The trees within West Berkshire are not subject to a tree preservation order (TPO), and Reading Borough Council has confirmed the same for the trees within their district. Tilehurst Parish Council has stated that it believes that an ancient hedgerow exists in this location; however the Council's tree officers have no record of such.

6.3.2 It is recommended that a landscaping condition is imposed in order to help assimilate the proposed development into the street scene. This has been supported by the tree officer.

6.4 Local infrastructure, services and amenities

6.4.1 The relevant services have been consulted on the proposal. However, given that the majority of the application site lies within Reading Borough, it is considered that seeking developer contributions is not justified in this instance.

7. Conclusion

7.1 Having regard to the relevant planning policies and other material considerations as outlined in Sections 4 and 6, it is considered that there are good reasons to support the proposal insofar as it relates to West Berkshire.

7.2 Conditional approval is justifiable because the impact on the street scene is acceptable, and the proposal complies with highway standards in respect of access and parking. There are not considered to be any substantive material considerations which outweigh the support for the proposal. As such the application is recommended for conditional approval.

8. Full Recommendation

DELEGATE to the Head of Planning and Countryside to **GRANT PLANNING PERMISSION** subject to the following conditions:

1. **Time limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004); to enable the Local Planning Authority to review the desirability of the development should it not be started within a reasonable time.

2. **Plans**

The development hereby permitted shall not be carried out except in complete accordance with drawing numbers: 11151-01C, 11151-02C, 11151-05A and 11151-06A received on 28 September 2010; 11151-04C and 11151-07 received on 18 October 2010; and 11151-08 received on 21 October 2010, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning.

3. **Visibility splays before occupation**

The dwelling shall not be occupied until the visibility splays at vehicular access to Ullswater Drive have been provided in complete accordance with drawing number 11151-08 (received on 21 October 2010). The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

Reason: In the interests of road safety, in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

4. Surfacing of access

No development take place until details of the surfacing arrangements for the vehicular access to the highway has been submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that bonded material is used across the entire width of the access for a distance of 3 metres measured back from the carriageway edge. The dwelling shall not be occupied until the surfacing arrangements have been constructed in complete accordance with the approved details.

Reason: To avoid migration of loose material onto the highway, in the interests of road safety. This condition is imposed to comply with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5. Vehicle parking provided to standards

No development shall take place until details of the vehicle parking and turning space/areas have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the vehicle parking and turning spaces/areas have been provided in accordance with the approved details. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would adversely affect road safety and the flow of traffic. This condition is imposed to comply with Policies OVS2 and TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

6. Landscaping

No development shall take place (including site clearance and any other preparatory works) until a detailed scheme of landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include a schedules of plants (noting species, plant sizes and proposed numbers/densities), an implementation programme, and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

- a) completion of the approved landscaping within the first planting season following the completion of the development; and
- b) any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the following year by plants of the same size and species.

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of Policy OVS2 (a, b) and OVS3 (b) of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

7. **Bin store**

No development shall take place until details of the bin store, including its design and use of materials, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: Insufficient information has been submitted with the application. This condition is imposed in the interests of visual amenity, in accordance with Policy OVS2 and HSG1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Informatives:

1. **Reading Borough Council Planning Application**

This Planning Permission relates to the proposed development only insofar as it falls within West Berkshire District. This decision notice must be read in conjunction with Reading Borough Council Planning Application 10/01745/FUL, or any subsequent application or revision wherein the development proposal does not materially vary from that shown on the approved drawings.

2. **Access construction**

The Highways (Planning) Manager, West Berkshire District Council, Highways and Engineering, Council Offices, Faraday Road, Newbury RG14 2AF, telephone 01635 519169, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks notice, to obtain details of underground services on the applicant's behalf.

3. **Damage to footways, cycleways and verges**

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

4. **Extraordinary traffic**

The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

5. **Street lighting column**

It may be necessary to relocate the street lighting column adjacent to the access at the cost of the applicant. The applicant is advised to contact the Council's Street Lighting Team on 01635 42400 to discuss the relocation.