

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	22/00719/HOUSE Woolhampton	17 May 2022 <sup>1</sup>	Rear orangery  49 Abbey Gardens, Woolhampton, Reading, RG7 5TZ  Mr and Mrs G Bradley
<sup>1</sup> Extension of time agreed with applicant until 5 August 2022			

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=22/00719/HOUSE>

**Recommendation Summary:** To delegate to the Service Director of Development and Regulation to Grant planning permission subject to conditions

**Ward Member:** Councillor Graham Pask

**Reason for Committee Determination:** 10+ objections received

**Committee Site Visit:** 27<sup>th</sup> July 2022

#### Contact Officer Details

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## 1. Introduction

- 1.1 This application seeks planning permission for a single storey rear extension (orangery).
- 1.2 The application site is situated within the new housing estate adjacent to Douai Abbey. The development was permitted in 2002 with the restoration of the main former abbey school building and conversion into flats, along with the demolition of outlying former school buildings and construction of new houses/flats. This property is one of the new houses constructed. The houses were specifically designed with the Abbey buildings in mind and have a very strong character using a mix of brick and stone.
- 1.3 The property is a middle terrace house which juts out to the rear by about half a metre beyond the building line with two neighbouring properties. This application seeks a further extension of 3 metres projection from the original rear elevation.

## 2. Planning History

- 2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision Date /
02/01838/FUL	Restoration of main former abbey school building and conversion into flats. Demolition of outlying former school building and construction of new houses/flats.	Approved 07/05/2004
11/00492/HOUSE	Loft conversion with velux windows and insertion of gable windows to front and rear elevations.	Refused 04/07/2011
10/01950/HOUSE	Loft conversion with velux windows and insertion of gable windows to front and rear elevations	Refused 30/09/2010

## 3. Procedural Matters

- 3.1 **EIA:** Given the nature and scale of this householder development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 **Publicity:** Site notice displayed on 14 April 2022; the deadline for representations expired on 9 May 2022.

**CIL:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). Initial assessment taken from the proposed floor plans show that the Gross Internal Area will be 12.03 square metres. CIL liability will be

formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)

## 4. Consultation

### ***Statutory and non-statutory consultation***

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

<b>Woolhampton Parish Council:</b>	No response was received at time of report
<b>Right of Way Officer:</b>	No response was received at time of report
<b>Ramblers' Association</b>	No response was received at time of report

### ***Public representations***

- 4.2 Representations have been received from 31 contributors, 16 of which support, and 15 of which object to the proposal. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

#### Objections:

- Adjacent to the AONB area of outstanding natural beauty which will be impacted by the development
- Height of lantern is visually intrusive
- Missing stone courses from side and front elevations
- Close proximity to neighbours
- Jarring anomaly will spoil beautiful façade of houses
- Visible from public bridle path
- Loss of light and overshadowing of neighbour and block morning sun
- Overbearing visual aspect to neighbouring properties
- Lack of consultation with residents will be immediately negatively impacted
- Houses designed as one, the new orangery will destroy design
- Detracts from design created by acclaimed architect
- Plans are inadequate and show no measurements to overall height etc.
- Permanent features, i.e. fencing not shown
- No explanation regarding rainwater management
- Similar extension was refused in 2010

#### Support:

- Owners up front in communicating questions and concerns from residents and management concerns
- The architect who drew up the application is a professional and acted so at all times
- Neighbours were approached and the extension was discussed
- Perfectly reasonable proposal

- Sympathetic improvement and aesthetically pleasing addition to property, the bricks will be carefully sourced and will weather over time to blend with existing and retain string line of the façade
- The property is not in a prominent position as 2010 refused application is
- It will not be visible from the bridleway, playground or meadow as fence and hedge surrounding the garden is approximately 8 foot tall and the ground slopes away so only the upper bedroom windows are visible from beyond.
- Do not believe any light will be blocked out as this is a west facing house (front)
- An excellent soak away drain system is being installed to deal with rain water
- Applicant's wife has suffered significantly reduced mobility and would benefit the additional ground living space this would provide her.
- The design received approval from the landlords and the residents company
- The suggestion that lease prevents extensions of any type is incorrect as can be seen in Schedule 4 Clause 8.
- Similarly designed orangery situated within the development
- Trees will be planted obscuring any view they may have for the time taken to pass the rear garden gate

## 5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP6, CS14, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, C6, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2019-24
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance
- Neighbouring amenity
- Highway safety

### ***Principle of development***

6.2 Policy ADPP1 of the Core Strategy states that development in West Berkshire will follow the existing settlement pattern. The application site is not situated within any defined settlement boundary as identified by C1 of the West Berkshire HSA DPD, and so is regarded as being within the open countryside where only appropriate limited development will be allowed. Therefore Policy C6 of the West Berkshire HSA DPD must be taken into consideration.

- 6.3 Policy C6 seeks to prevent the overdevelopment of sites in the countryside and requires certain criteria to be met; these include;
- a) the scale of the enlargement is subservient to the original dwelling and is designed to be in character with the existing dwelling; and
  - b) it has no adverse impact on the setting, the space occupied within the plot boundary, on local rural character, the historic interest of the building and its setting within the wider landscape; and
  - c) the use of materials is appropriate within the local architectural context; and
  - d) there is no significant harm on the living conditions currently enjoyed by residents of neighbouring properties.
- 6.4 The proposed extension has been designed to be subservient to the original dwelling and is designed to be in character with the existing dwelling. Its position within the rear garden reduces public viewpoints through the use of fencing. A public right of way BEEN10/3 runs behind the garden, however, due to the rear fencing there is limited viewpoints into the garden without making an effort to see over the fence. Behind the right of way is a set of garages before the playground to the east. While there will be some overshadowing to the neighbouring property as a result of the proposal, when compared to that which exists already on site, it is not considered that the additional harm will be to a level sufficient to warrant refusal of the application.
- 6.5 The development is considered to comply with Policy C6 and therefore be acceptable in principle.

### ***Character and appearance***

- 6.6 The planning site is situated within an established housing estate adjacent to a complex of grade II listed buildings to the west and the Douai Abbey (grade II\*) to the north-west. To the immediate east is situated a car port block and further along a playground and open park land.
- 6.7 The dwelling is one of three attached houses the planning site being the middle terrace. The properties benefit from long front and rear gardens with a south-westerly orientation to the front of the properties. The rear gardens are enclosed with a mix of brick, closed board fencing and hedgerow to an approximate height of 1.8 metres.
- 6.8 A public right of way BEEN10/3 passes to the rear of the gardens between the boundary of the dwellings and the car port block. Due to the height of the boundary treatment there are limited views into the gardens from the right of way.
- 6.9 The proposed application seeks approval for a single storey rear extension styled as an orangery. The extension will be situated within the rear garden of the property where there are limited views of the garden to the rear.
- 6.10 The approximate dimensions of the proposal are:
- Overall height: 3.57 metres
  - Overall width: 5 metres
  - Overall depth (not including existing projection): 3 metres
  - Gross Internal Area: 11.82 square metres
  - Total footprint of extension: 15 square metres
- 6.11 The materials of the extension are:

- Walls: Facing bricks to match existing, stone detail and lintels to match, stone coping
  - Roof: Felt
  - Windows: White uPVC
- 6.12 Concern has been raised in the public representations regarding the impact on the character of the area as a result of the proposed extension. Comments include concern that the proposed extension is not in character with the design of the dwellings within the estate.
- 6.13 The proposed extension will have a footprint of 15 square metres which is a small increase to the existing dwelling. The design has included elements picked from the original and existing buildings within the area including matching brickwork and stone details. It is noted there are three rear extensions of similar type within the rear gardens in the neighbourhood all in largely obscured areas of the estate. The proposed extension will be situated within the rear garden with views only from above the existing fence line, which at approximately 1.8m means the average person would not be able to see much of the extension except for, perhaps, the glazed lantern which reaches the height below the first floor window. However, it is considered that, even if it could be seen clearly from public viewpoints, it is not a large structure and the design is sympathetic to the existing dwelling and is unlikely to have a detrimental impact on the character of the existing dwellings or the setting and character of the area.
- 6.14 Given the scale and location of the proposed extension, it is not considered to have a material impact on the setting of any of the nearby listed buildings.
- 6.15 It is considered that the proposed development complies with Policies CS14 and CS19.

### ***Neighbouring Amenity***

- 6.16 According to Policy CS14, new development must demonstrate high quality and sustainable design that makes a positive contribution to the quality of life in West Berkshire. Consequently, all development should be designed in a way to avoid any unacceptable harm to neighbouring living conditions. Applications will typically be assessed in terms of any significant loss of light, overlooking of neighbouring buildings or land, and whether the proposal would result in any undue sense of enclosure, overbearing impact, or harmful loss of outlook to neighbouring properties. Noise and disturbance may also be a relevant consideration.
- 6.16 With regard to this proposal there will be limited impact to the neighbouring amenity in terms of overlooking as there will be no windows facing to the neighbouring properties.
- 6.17 Concern was raised regarding the potential overshadowing of number 48. This property is attached to and situated north and slightly west of the application site, as a result there is already some overshadowing of the property from the existing boundary fence which during midwinter would have the impact of overshadowing the rear elevation of the neighbouring property. The proposed extension will have a limited further impact on the neighbouring property, however it is noted that the overshadowing lessens during the summer months and the proposed extension is unlikely to cast a significantly larger impact than already existing. The proposed extension would have some impact on the neighbouring amenity to the north-west, however, this is considered minimal and for only a short period of the day such that it would not justify refusal of the application.
- 6.18 Concern regarding a visually overbearing design has been considered, however, given the height of the parapet being approximately 3.21 metres and the lantern set to the middle

of the extension, it is considered, taking into account the 1.8 metre boundary fence, that the proposed extension will have limited impact on neighbouring amenity.

### **Highways**

- 6.19 Owing to the nature, scale and location of the proposal, it is not considered to give rise to any material highway considerations. Parking levels remain unaffected.

## **7. Planning Balance and Conclusion**

- 7.1 The impact of the proposed extension on the character and appearance of the area and on the setting of the terrace houses has been carefully assessed. It is considered that due to its size, scale, layout, siting, form and appearance, the proposed extension will not have a detrimental impact on the character and appearance of the area.
- 7.2 Whilst it is acknowledged there may be some limited impact on surrounding properties in terms of limited views from the neighbouring properties and limited overshadowing, these are unlikely to be harmful and it is not considered that the proposed single storey rear extension would have a sufficiently detrimental impact on the amenities of the occupiers to warrant refusal.
- 7.3 It is not considered that there will be any detrimental impact upon highways and parking.
- 7.4 Other concerns raised in the public representations have been reviewed and considered not to be planning consideration rather would be subject to Building Regulations and/or the Party Wall Act.
- 7.5 Overall, it is considered that the proposed development would be in accordance with the development plan, and the policies within the NNPF and other local planning documents. Having taken account of all the relevant policy considerations and the other material considerations referred to above, and having regard to the reasons to support the proposal, the proposed development is recommended for approval subject to the conditions listed below.

## **8. Full Recommendation**

- 8.1 To delegate to the Service Director of Development and Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.

### **Conditions**

1. **Commencement of development**

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).

2. **Approved plans**

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

Location and Block Plan received on 21 March 2022;  
Proposed Elevations, Floor Plans and Section received on 21 March 2022.

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

3. **Materials**

The materials to be used in the development hereby permitted shall be as specified on the plan and the application form. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Guidance 04/2 House Extensions (July 2004), and Supplementary Planning Document Quality Design (June 2006).

4. **Hours of work (construction/demolition)**

No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

No work shall be carried out at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

**Informatives**

1. Proactive

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

2. CIL

The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)

3. Consent to enter adjoining land

You must obtain the prior consent of the owner and occupier of any land upon which it is necessary for you to enter in order construct, externally finish, decorate, or in any other way carry out any works in connection with this development, or to obtain any support from adjoining property. This permission granted by the Council in no way authorises you to take such action without first obtaining this consent.



4. Right of Way

The applicant is advised that this planning permission does not in any way allow the Public Right of Way to be obstructed at any time during the course of the development.