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| Development Management Ref No | No weeks on day of committee | Parish | Ward | Listed by: |
| 170317 | 8/8 | Charvil | Charvil | Cllr Hobbs |

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|--------------------|---|-----------------|----------|--|
| Applicant | Mr J Frankham | | | |
| Location | Land to the rear of 72 Old Bath Road, Charvil | Postcode | RG10 9QL | |
| Proposal | Full application for the proposed erection of two link detached bungalows at the land at the rear of 70-72 Old Bath Road. | | | |
| Type | Full | | | |
| PS Category | 7 | | | |
| Officer | Daniel Ray | | | |

FOR CONSIDERATION BY Planning Committee on 29th March 2017
REPORT PREPARED BY Head of Development Management and Regulatory Services

SUMMARY

This application proposes to introduce two single storey properties with access off Chiltern Drive in Charvil. The site comprises of former gardens to properties that front Old Bath Road and Cheviot Drive however the site has not been associated with these properties for a number of years and has become an overgrown un-used space and has declined in appearance.

It is proposed the dwellings would provide housing for the ageing/retired population however no mechanism to ensure that this would take place has been proposed. Policy TB06 of the MDD states that the Council will resist inappropriate development in residential gardens where development would cause harm to the local area. Residential gardens include land within the curtilage of former private residential gardens.

There have been a number of applications over the last 30 years for dwellings on this site, all of which have been refused for the same in-principle reason, that the introduction of residential dwellings in this location is out of character of the area and would introduce a new pattern of development that does not respect the character of the surrounding area. This view has been upheld by the Planning Inspectorate.

For the reasons given above as well a lack of information regarding flood risk and drainage, the application has been recommended for refusal as set out in this report.

PLANNING STATUS

- Limited development location
- Land Liable to Flood
- Flood Zone 2
- Wind turbine safeguarding zone
- Groundwater Protection Zone
- Landfill Gas Consultation Zone
- Contaminated land consultation zone

RECOMMENDATION

That the committee authorise the REFUSAL OF PLANNING PERMISSION for the following reasons:

1. The proposed development would erode the visual separation between the properties along Old Bath Road and Cheviot Drive, causing significant harm to the openness and spaciousness of the character of Chiltern Drive. The introduction of a new frontage on Chiltern Drive would not relate to any existing housing groups and would therefore appear isolated and discordant with the existing built form failing to create and/or reinforce local distinctiveness that would be to the detriment of the areas established character. The proposal is therefore contrary to the NPPF, Wokingham Borough Council's Core Spatial Strategy CP1 and CP3, Policy TB06 of the MDD local plan and the guidance set out in the Wokingham Borough Council Design Guide SPD.
2. The proposal fails to demonstrate whether underlying ground conditions are suitable for infiltration and therefore it is not possible to determine whether the proposals risk to the site is acceptable in terms of surface water flooding contrary to the aims of the MDD Local Plan Policy CC09 and Core Strategy Policy CS1 and the guidance contained within the NPPF.

PLANNING HISTORY

The site benefits from an extensive planning history dating back to the 1980s where an application for a house and garage was refused on 15th March 1989 (32499). Since 1989 a number of applications for dwellings were refused in the 1990's. Further applications have since been determined and are described below:

F/2002/7864 – application for one dwelling refused on 10th December 2002.

F2007/1219 – withdrawn application for a single dwelling

F/2008/1210 – application for a single dwelling, refused on 28th July 2008.

O/2011/0422 – application for a single dwelling, refused on 13th April 2011 and dismissed at appeal on 13th September 2011.

160682 - Full application for the proposed erection of two link detached bungalows at the land at the rear of 70-72 Old Bath Road. – Refused on 21st July 2016. The application before us is almost identical to this application; however the porches have been introduced with this scheme.

SUMMARY INFORMATION

| | |
|-------------------------|--------|
| Site Area | 0.06ha |
| Existing units | 0 |
| Proposed units | 2 |
| Existing parking spaces | 0 |
| Proposed parking spaces | 4 |

CONSULTATION RESPONSES

| | |
|-----------------------------|------------------------------------|
| WBC Highways | No objection subject to conditions |
| WBC Flood Risk and Drainage | Objection |
| WBC Landscape and Trees | Objection |

REPRESENTATIONS

Charvil Parish Council:

At the time of writing this report no representation has been made by the Parish

Council.

Local Members:

Cllr Hobbs has requested that the application be listed to committee as *the bit of land in question has been an eyesore for some 30 years, it is an ideal place to undertake dwellings that will be suitable for our aging population within Charvil.*

Neighbours:

From WBC consultation:

Six letters of support have been received from neighbours who support the application for the following reasons:

- The proposed development would tidy up an area that has become unkempt and does not contribute to the character of the area.
- The development would provide much needed housing for an ageing population.

APPLICANTS POINTS

- The site is a sustainable location for development
- Would provide housing for local needs
- Tidy up an area which has declined in appearance

PLANNING POLICY

| | | |
|---|--|--|
| National Policy | NPPF | National Planning Policy Framework |
| Adopted Core Strategy DPD 2010 | CP1 | Sustainable Development |
| | CP2 | Inclusive Communities |
| | CP3 | General Principles for Development |
| | CP4 | Infrastructure Requirements |
| | CP5 | Housing mix, density and affordability |
| | CP6 | Managing Travel Demand |
| | CP7 | Biodiversity |
| | CP9 | Scale and Location of Development Proposals |
| | CP17 | Housing Delivery |
| Adopted Managing Development Delivery Local Plan 2014 | CC01 | Presumption in Favour of Sustainable Development |
| | CC02 | Development Limits |
| | CC03 | Green Infrastructure, Trees and Landscaping |
| | CC04 | Sustainable Design and Construction |
| | CC09 | Development and Flood Risk (from all sources) |
| | CC10 | Sustainable Drainage |
| | TB05 | Housing Mix |
| TB06 | Development of Private Residential Gardens | |
| TB07 | Internal Space standards | |

| | | |
|--|-------------|--|
| | TB21 | Landscape Character |
| Supplementary Planning Documents (SPD) | BDG | Borough Design Guide – Section 4 |
| | NISS | DCLG – National Internal Space Standards |

PLANNING ISSUES

Description of Development:

1. The site is located within the 'limited development settlement' of Charvil off Old Bath Road. The site as existing comprises the former gardens of 70, 72 and 72a Old Bath Road and also 1 Chiltern Drive. The application proposes to construct two single storey dwellings within the former gardens. The supporting statement states that these would provide suitable housing for retired persons, however no mechanism has been proposed in order to secure that these dwellings would be provided to this particular group of society.
2. The dwellings would be 8.7m wide with a depth of 6.8m with a porch that projects a further 0.85m to the front. The height of the eaves from the ground is 2.43m high with an overall ridge height of 5.35m. The properties would be attached by way of a car port. The properties would benefit from two off street parking spaces each.
3. The dwellings would have a brick plinth, rendered walls under a tiled roof. Both dwellings would have gardens to the rear.

Principle of Development:

4. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.
5. The site is located within a limited development location and within a settlement boundary and as such residential redevelopment of the site should be acceptable providing that it complies with the principles stated in the Core Strategy. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which it is located and must be of high quality design without detriment to the amenities of adjoining land uses and occupiers.
6. However, Policy TB06 of the MDD highlights that the Council will resist inappropriate development in residential gardens where development would cause harm to the local area. Residential gardens include land within the curtilage of former private residential gardens. Development would only be acceptable where the proposal makes a positive contribution to the character of an area in terms of the relationship of the existing built form and spaces, a layout is proposed that integrates with the surrounding area with regard to the built up coverage of each plot, building line, rhythm of plot frontages, parking areas etc. Development must not lead to unacceptable tandem development.
7. The proposed development would cause unacceptable harm to the character of the

area that would conflict with Core Strategy Policies CP1 and CP3 and would create a new building frontage that would not satisfactorily relate to the surrounding area. The proposed development would lead to a pair of isolated buildings that are unrelated to the neighbouring street-scenes and the local context, nor would they create or reinforce local distinctiveness to the detriment of the area's established character; this is contrary to Policies CP1 and CP3 of the Core Strategy and Policy TB06 of the Managing Delivery Local Plan and the advice set out in Wokingham Borough Council's Design Guide.

Character of the Area:

8. Policy CP1 outlines that development proposals should maintain and enhance the high quality of the environment; CP3 and the Wokingham Borough Design Guide SPD states that new development should integrate with its surroundings and contribute to a sense of place.
9. The appeal site is a plot of land which sits between parallel rows of mainly two storey housing in Old Bath Road and Cheviot Drive with a frontage onto Chiltern Drive. Whilst the site has been partitioned off they would have once formed part of the rear gardens of the southernmost pair of dwellings on Old Bath Road and Cheviot Drive and this is the most recent and lawful use of the land. There is a degree of separation between the houses on these two roads with the mature planting and vegetation that contributes to the overall character and spaciousness of this particular element of Chiltern Drive. Whilst it is not public open space, the character is defined by this spaciousness and 'breathing' room between two parallel residential roads and the built form.
10. Despite the single storey nature of the development, the proposed development would introduce a frontage in an excess of 16m of built form in a location that acts as a breathing space between Old Bath Road and Cheviot Drive. The proposed buildings would diminish this openness, creating a new frontage that is alien to this part of Chiltern Drive where there is currently no building frontage. As such the proposed dwellings would appear isolated and unrelated to any existing housing groups. Consequently the proposed development would not respect or respond to the local context nor create or reinforce local distinctiveness, to the detriment of the area's established character.
11. This view is reflected by and in accordance with appeal ref: 2153486 where the Inspector concluded the same and found that despite some local support, the introduction of a dwelling in this location would not bring about economic or social benefits that would outweigh the harm to the character of the area and further stating that the dwelling would not sit comfortably in the locality.
12. As such, the application should be refused as the proposed dwellings would cause unacceptable harm to the area's character such that it would conflict with Core Strategy Policies CP1 and CP3, Managing Development Delivery Local Plan Policy TB06 and the advice and guidance set in Wokingham Borough Council's Borough Design Guide SPD.

Impact on Neighbouring Residential Amenity:

13. The proposed positioning of the two dwellings on the site ensures that the development would be unlikely to have a detrimental impact in terms of overlooking, overshadowing or overbearing issues to properties on Old Bath Road and Cheviot

Drive. The single storey nature of the dwellings ensures that there would be no direct lines of sight between opposing elevations. As a result, the proposed development would not lead to any harm relating to the private residential amenity of neighbouring occupiers.

Access and Movement:

14. It is proposed to create a new access onto Chiltern Drive to serve both dwellings and this is considered acceptable subject to appropriate consent and specification to be agreed with the council's highway operations team.
15. Two parking spaces have been provided for each dwelling – one in the car port and one in the form of a driveway parking space were the scheme acceptable. A condition would be required that prohibits any form of doors/enclosure to the front of the car port (i.e. to convert to a garage). On this basis the level of parking complies with the council's parking guidance.
16. Secure covered cycle storage has been indicated and this is considered acceptable.

Flooding and Drainage:

17. The sustainability statement proposes the use of permeable pavements within the development (which is a positive design feature) however this document also mentions that the dwellings are not in a flood risk area, which is not the case as the dwellings will be located in Flood Zone 2. The new dwellings will increase the impermeable surface within the site and there has been no mention of how runoff generated from the development is going to be managed to ensure that flood risk is not increased elsewhere.
18. The Council's drainage consultant would expect to see BRE 365 soakage test results demonstrating whether infiltration is possible or not, and if infiltration is achievable that soakaways have been appropriately sized. A drainage strategy plan for the site indicating how runoff from the site is would be managed is also required.
19. Given that the site is in Flood Zone 2, finished floor levels should be set no lower than the flood level for the 1 in 100 flood event with a 40% allowance for climate change.
20. As a result, the application should be refused on the basis that there is a lack of information to allow the Council to be confident the development would not lead to surface water flooding issues on and off the site. The above issues should be addressed to ensure that the development does not increase flood risk on or off site.
21. The documents submitted for application 170317 have not changed from what was submitted under 160682 and it is disappointing that this has not been addressed as part of this application. Therefore the proposal is in conflict with MDD Local Plan Policy CC09 and Core Strategy Policy CS1 and the guidance contained within the NPPF. It is however acknowledged that this refusal reason could be overcome should the details required be submitted.

Private Amenity Space:

22. Wokingham Borough Council Design Guidance states that a garden should have a minimum length of 11m to ensure that the dwelling benefits from adequate space to

undertake normal activities, such as the drying of clothes, gardening, relaxation etc.

23. Whilst Plot 1 would have a garden length measuring 9m, it is of a width of 12.4m wide thus providing sufficient garden space for everyday activities. Plot 2 would benefit from a rear garden that isn't uniform in shape, instead would be 15.5m wide at a depth of 9m with a small area that extends to further to a depth of 13.5m. Again, plot 2 would benefit from ample private residential garden space. Overall the proposed development would benefit from enough garden space sufficient for the occupiers use and is therefore considered acceptable in this instance.

CONCLUSION

The proposed development is not acceptable. It is not in accordance with adopted Local Plan policy, would have an unacceptable impact on the character of the area and introduce a form of development which is discordant with the pattern of development in the immediate area.

In addition, inadequate information has been submitted regarding flood risk and surface water drainage and as such should be refused on this basis.

CONTACT DETAILS

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