

## West Berkshire Local Plan Review 2023-2041 (adopted June 2025)

### Policy DM30

#### Residential Amenity

All development will be required to provide and/or maintain a high standard of amenity for existing and future users of land and buildings.

When considering the impact on the living conditions of existing and proposed residential dwellings, development proposals will be supported where there is no unacceptable harm in terms of the following criteria:

- a. Any significant loss of daylight and/or sunlight to land and buildings;
- b. Any significant overlooking of land and buildings that results in a harmful loss of privacy;
- c. Development resulting in an undue sense of enclosure, overbearing impact, or a harmful loss of outlook; and
- d. Noise, dust, fumes and odours.

In addition, all new residential development will be expected to include the provision of the following:

- i. Functional amenity space of a quality and size to meet the needs of the occupants;
- ii. Internal accommodation of an adequate size and layout relative to the intensity of occupation envisaged;
- iii. Natural light in all habitable rooms of the proposed development;
- iv. A garden size which is at least a minimum of 10.5 metres in depth, where possible; and
- v. A minimum distance of 21 metres between directly facing windows, serving habitable rooms.

### Supporting Text

**11.97** The NPPF highlights that high-quality design and a good standard of amenity should be sought in all new development. For clarity, this policy applies to all residential development (including house extensions), and shall be applied to determine the impacts of all new development upon residential amenity.

**11.98** New development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area and makes a positive contribution to the quality of life in West Berkshire. Good design relates not only to the appearance of a development, but the way in which it functions and impacts the immediate and wider locality.

**11.99** Neighbouring amenity and privacy are important aspects of development. Proposals should seek to maintain, and where practicable, improve the existing relationship with neighbouring occupiers. This policy sets out the requirements development should achieve in order to provide a good quality of life both for occupants and maintains good neighbouring amenity.

**11.100** National policy also recognises that local planning authorities should address barriers to improving health and wellbeing through a high standard of housing design. All new and extended homes should benefit from private outdoor amenity space solely for the use of the occupants of a sufficient size and quality to support physical and mental health and wellbeing. Development It should be designed to ensure there is no undue loss of privacy or overlooking of adjoining and neighbouring properties.

**11.101** As a guide, outdoor amenity space for a one and two bedroom house should be at least 70 square metres. For houses of three bedrooms and above at least 100 square metres of outdoor amenity space should be provided. This is applicable for new dwellings, houses as extended/altered, and for host dwellings, when considering schemes for subdivision.

**11.102** For flats, there may be a variety of approaches to providing outdoor amenity space for flats which will vary according to the location and character of the proposed development. As a guide, for 1 or 2 bedroom flats at least 25 square metres of communal open space should be provided per unit. For three or more bedroom flats at least 40 square metres of communal open space should be provided per unit. Additionally, balconies could compensate for limited garden space if they provide high quality space, and the space offered would be taken into consideration when looking at the overall amenity space proposed for a flatted development.

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**11.103** In terms of the functionality of all garden spaces, external amenity space should be of a sufficient size to accommodate domestic features such as a storage shed (including a cycle store where no garage provision is possible), space to facilitate the drying of clothes (rotary or washing line), table and chairs suitable for the size of the dwelling, an area for children to play in and circulation space. External private amenity or communal space does not include car parking or turning areas.

**11.104** National space standards will be applicable to ensure adequate internal accommodation is provided. This is applicable for new residential units. Natural light should be maintained and provided in all habitable rooms for the benefit of all occupants, and applies to all types of development proposal. This ensures that residents maintain a good quality of life. The amount of existing light into habitable rooms and the proposal's impact on this will be taken in to account, in the event where the development proposal affects an existing property/building. The Council wishes to ensure that windows are provided for habitable rooms, particularly for conversions.

**11.105** The Council expects that occupiers will be able to enjoy a reasonable degree of amenity and privacy in their gardens by maintaining reasonable relationship with neighbouring properties. A guideline depth of at least 10.5m is considered appropriate to preserve the amenity and privacy of residents. This should be measured from the rear wall of the house to the opposite boundary.

**11.106** Development should not cause material harm to neighbours privacy and outlook. Windows that directly overlook a nearby neighbouring dwelling should be avoided and a minimum 21m distance achieved between direct facing windows. There may be a higher expectation of privacy in areas with large, mature gardens, or in areas in rural fringe locations. Such areas may seek to achieve greater levels of distance. There may also be circumstances on individual sites which may enable dwellings to be closer without a detrimental effect on privacy. Examples include town centre locations; dwellings across a highway; where the existing distance is less than 21 metres and the proposed development does not lessen the distance between properties. The site specific circumstances affecting each proposal will therefore need to be taken into account when applying the policy. The impacts on residential dwellings from all types of development will be considered.

**11.107** Window design and position need to be considered carefully in order to maintain and protect existing privacy levels with neighbours. Detailed plans should be submitted with any scheme in order for a full and accurate assessment to be made. Where possible windows should replace like for like and be of a similar design, style and shape to those existing or positioned at high level or with obscure glazing in order to prevent significant additional overlooking where possible.

**11.108** All new development which includes Juliet and standard balconies should aim to reduce and remove any potential impact caused by over-looking and a loss of privacy between neighbours. Design would need to consider the position of the works on development, the depth and any privacy screening that would aid maintaining existing privacy levels between neighbours where possible. The installation of further new windows, Juliet balconies and balconies may be controlled and secured via planning condition in the interests of neighbouring amenity.

**11.109** In consideration of daylight, sunlight and overshadowing the orientation of the building/extension and positioning of windows in host and neighbouring buildings should be taken into account. Schemes should take into account the 'BRE Site layout planning for daylight and sunlight: a guide to good practice' (2022) (or any further update). The development proposal should be designed as to avoid a significant loss of light to habitable rooms of neighbouring properties which could detrimentally impact on those occupier's quality of life. Should the development proposal lead to an unacceptable loss of light the proposal would not be supported.

**11.110** Noise, dust, fumes and odour are important environmental issues that must be taken into account when planning development and determining impact upon all types of neighbouring property. This includes the occupants of the proposed development. Careful design may aid in alleviating any conflicting uses, and the use of planning conditions will aid in protecting neighbour amenity. This will include (but not limited to) hours of operation, outlining construction hours, methods of suppressing dust from development sites, and protection from noise receptors (e.g. main roads, railways, commercial operations, etc.). A noise assessment may be required, to accompany a planning application, which would then aid in guiding the assessment of schemes and use of planning conditions.

**11.111** This policy should be read in conjunction with the Quality Design Supplementary Planning Document (or any further updates).