

To: Councillor Maskell (Chair)
Councillors Rowland, Brock, Emberson,
Gavin, Hopper, McEwan, Page, Robinson,
DP Singh, Vickers, J Williams and
R Williams

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31 December 2018

Your contact is: **Nicky Simpson**

NOTICE OF MEETING - PLANNING APPLICATIONS COMMITTEE 9 JANUARY 2019

A meeting of the Planning Applications Committee will be held on Wednesday, 9 January 2019 at 6.30 pm in the Council Chamber, Civic Offices, Bridge Street, Reading RG1 2LU. The Agenda for the meeting is set out below.

AGENDA	ACTION	WARDS AFFECTED	PAGE NO
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KEY TO CODING & GUIDE TO USE CLASSES ORDER

1.	MINUTES OF THE PLANNING APPLICATIONS COMMITTEE HELD ON 5 DECEMBER 2018	Decision	9 - 14
2.	DECLARATIONS OF INTEREST	Decision	
3.	QUESTIONS	Decision	
4.	POTENTIAL SITE VISITS FOR COMMITTEE ITEMS	Decision	BOROUGHWIDE 15 - 18
5.	PLANNING APPEALS	Information	BOROUGHWIDE 19 - 26
6.	APPLICATIONS FOR PRIOR APPROVAL	Information	BOROUGHWIDE 27 - 36

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|----|---|-------------|-------------|---------|
| 7. | QUARTERLY PERFORMANCE MONITORING REPORT - DEVELOPMENT MANAGEMENT SERVICE - QUARTERS 1, 2 AND 3, 2018/19 | Information | BOROUGHWIDE | 37 - 40 |
| 8. | MHCLG CONSULTATION ON PLANNING REFORM "SUPPORTING THE HIGH STREET AND INCREASING THE DELIVERY OF NEW HOMES" | Decision | BOROUGHWIDE | 41 - 48 |

PLANNING APPLICATIONS TO BE DETERMINED

- | | | | | |
|-----|--|---|------------|-----------|
| 9. | 171808/FUL - 18 WAYLEN STREET | Decision | ABBEY | 49 - 72 |
| | Proposal | Retrospective planning application for the demolition of a pre-existing extension and the construction of a two storey rear extension, and the erection of a boundary wall adjacent to the highway (amended description). | | |
| | Recommendation | Application Permitted | | |
| 10. | 181566/FUL & 181567/LBC - 3-5 KING STREET | Decision | ABBEY | 73 - 84 |
| | 181566
Proposal | Proposed change of use for floors 2, 3 and 4 from A2 to B1 use. Various external works including the extension of floor plates and minor internal amendments to facilitate the refurbishment of the existing building to create ancillary storage at basement and class B1 (Business) use on 3 upper floors. | | |
| | Recommendation | Application Permitted | | |
| | 181567
Proposal | Refurbishment of existing Listed Building Group formally the Barclays Bank ancillary accommodation on the ground floor entrance areas onto Market Place and King Street, the basement area to the Market Place entrance area and the upper floor plates, first second and third floors to provide contemporary B1 Office classification space. Extension of the first, second and roof areas into the existing central Light Well. Further extension of the first floor plate into the existing Office Pod located in the light well at lower first floor level. Replacement windows. Minor structural alterations to improve wheelchair access. Amendments to basement layout. | | |
| | Recommendation | Application Permitted | | |
| 11. | 181855/REG3 - 125 BASINGSTOKE ROAD | Decision | KATESGROVE | 85 - 92 |
| | Proposal | Conversion of redundant storage area to create a three-bedroom apartment | | |
| | Recommendation | Application Permitted | | |
| 12. | 181853/REG3 & 181554/REG3 - 72 & 80 BRUNSWICK STREET | Decision | MINSTER | 93 - 114 |
| | Proposal | Conversion of redundant bin store, laundry and cycle storage area to create a one-bedroom apartment, new refuse and cycle storage facilities and soft landscaping | | |
| | Recommendation | Permitted subject to Legal Agreement | | |
| 13. | 180591/FUL - MULBERRY HOUSE, 1A ELDON ROAD | Decision | REDLANDS | 115 - 156 |
| | Proposal | Demolition of Mulberry House (Class D1) and erection of part 3, part 5 storey building providing 7 (3x1 & 4x2-bed) residential units (Class C3), 5 parking spaces, landscaping and associated works. | | |
| | Recommendation | Permitted subject to Legal Agreement | | |

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Members of the public who participate in the meeting will be able to speak at an on-camera or off-camera microphone, according to their preference.

Please speak to a member of staff if you have any queries or concerns.

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KEY TO CODING OF PLANNING APPLICATIONS

1. Planning application reference numbers are made up of 2 parts.
 - 1.1 The number begins with the year e.g. 19
 - 1.2 This is followed by a consecutive number, showing what number the application is in any year (e.g. 190128).

2. The following is a key to existing officers with their direct dial telephone numbers.

GF1	-	Giorgio Framalico	9372604
KAR	-	Kiaran Roughan	9374530
JW6	-	Julie Williams	9372461
RJE	-	Richard Eatough	9373338
JPM	-	Johnathan Markwell	9372458
SDV	-	Steve Vigar	9372980
CR2	-	Claire Ringwood	9374545
CJB	-	Christopher Beard	9372430
SGH	-	Stephen Hammond	9374424
MDW	-	Mark Worringham	9373337
AJA	-	Alison Amoah	9372286
SEH	-	Sarah Hanson	9372440
BXP	-	Boja Petkovic	9372352
MJB	-	Mathew Burns	9373625
HB3	-	Heather Banks	9374175
EH1	-	Ethne Humphreys	9374085
SKB	-	Sarah Burr	9374227
TRH	-	Tom Hughes	9374150
SFB	-	Susanna Bedford	9372023
NW2	-	Nathalie Weekes	9374237
TF1	-	Tom French	9374068
CD3	-	Connie Davies	9372413
AS9	-	Anthony Scholes	9374729
JO1	-	James Overall	9374532

GUIDE TO USE CLASSES ORDER
and Permitted Changes of Use (England)

Use Classes (Amendment) Order 2005	Use Classes Order 1972	Description	General Permitted Development (Amendment) Order 2005
A1 Shops	Class I	<ul style="list-style-type: none"> Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, dry cleaners, internet cafes, etc. Pet shops, cat-meat shops, tripe shops, sandwich bars Showrooms, domestic hire shops, funeral directors 	No permitted changes
A2 Financial and Professional Services	Class II	<ul style="list-style-type: none"> Banks, building societies, estate and employment agencies Professional and financial services, betting offices 	Permitted change to A1 <i>where a ground floor display window exists</i>
A3 Restaurants and Cafes		Restaurants, snack bars, cafes	Permitted change to A1 or A2
A4 Drinking Establishments		Pubs and bars	Permitted change to A1, A2 or A3
A5 Hot Food Take-Aways		Take-Aways	Permitted change to A1, A2 or A3
Sui Generis		Shops selling and/or displaying motor vehicles, retail warehouse clubs, laundrettes, taxi or vehicle hire businesses, amusement centres, petrol filling stations	No permitted change
B1 Business	Class II Class III	(a) Offices, not within A2 (b) Research and development, studios, laboratories, high tech (c) Light industry	Permitted change to B8 <i>where no more than 235m</i>
B2 General industry	Class IV-IX	General industry	Permitted change to B1 or B8 <i>B8 limited to no more than 235m</i>
B8 Storage or Distribution	Class X	Wholesale warehouse, distribution centres, repositories	Permitted change to B1 <i>where no more than 235m</i>
Sui Generis		Any work registrable under the Alkali, etc. Works Regulation Act, 1906	No permitted change
C1 Hotels	Class XI	Hotels, boarding and guest houses	No permitted change
C2 Residential Institutions	Class XII Class XIV	<ul style="list-style-type: none"> Residential schools and colleges Hospitals and convalescent/nursing homes 	No permitted change
C2A Secure residential institutions		Prisons, young offenders institutions, detention centres, secure training centres, custody centres, short-term holding centres, secure hospitals, secure local authority accommodation or use as military barracks.	No permitted change
C3 Dwelling houses		<ul style="list-style-type: none"> Single occupancy or single households (in the family sense); No more than six residents living as a single household where care is provided; No more than six residents living as a single household where the building is managed by a local housing authority, a registered social landlord, a police authority, a fire authority, or a health service body. 	Permitted to change to C4
C4 Houses in multiple occupation		Use of a dwellinghouse by between three and six residents, who do not form a single household (in the family sense) and share basic facilities (toilet, bathroom or kitchen).	Permitted to change to C3
Sui Generis		<ul style="list-style-type: none"> House in multiple occupation with more than six residents Hostel 	No permitted change

D1 Non-Residential Institutions	Class XIII Class XV Class XVI	<ul style="list-style-type: none"> • Places of worship, church halls • Clinics, health centres, creches, day nurseries, consulting rooms • Museums, public halls, libraries, art galleries, exhibition halls • Non-residential education and training centres 	No permitted change
D2 Assembly and Leisure	Class XVII Class XVIII	<ul style="list-style-type: none"> • Cinemas, music and concert halls • Dance, sports halls, swimming baths, skating rinks, gymnasiums • Other indoor and outdoor sports and leisure uses, bingo halls, casinos 	No permitted change
Sui Generis	Class XVII	Theatres, nightclubs	No permitted change

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Present: Councillor Maskell (Chair);

Councillors Brock, Emberson, Gavin, Hopper, McEwan, Page, Robinson, Rowland, Vickers, J Williams and R Williams.

Apologies: Councillor DP Singh.

RESOLVED ITEMS

43. MINUTES

The Minutes of the meeting held on 7 November 2018 were agreed as a correct record and signed by the Chair.

44. SITE VISITS

The Director of Environment and Neighbourhood Services submitted, at the meeting, a schedule of applications to be considered at future meetings of the Committee to enable Councillors to decide which sites, if any, they wished to visit prior to determining the relevant applications.

Resolved -

That the under-mentioned application, together with any additional applications which the Head of Planning, Development and Regulatory Services might consider appropriate, be the subject of an unaccompanied site visit:

180499 - ST MARTINS PRECINCT, CHURCH STREET, CAVERSHAM

Application for full planning permission for the development of a 5 storey mixed use scheme comprising 16 residential apartments (1x studio, 9 x 1 bedroom, 6 x 2 bedroom), a Cinema / Leisure facility (Use Class D2) and retail and restaurant units (Use Class A1 and Use Class A3).

45. PLANNING APPEALS

(i) New Appeals

The Director of Environment and Neighbourhood Services submitted a schedule showing that no new appeals had been lodged since the previous meeting of the Committee.

(ii) Appeals Recently Determined

The Director of Environment and Neighbourhood Services submitted details of four decisions that had been made by the Secretary of State, or by an Inspector appointed for the purpose, which were attached as Appendix 2 to the report.

(iii) Reports on Appeal Decisions

The Director of Environment and Neighbourhood Services submitted reports on the following appeal decisions in Appendix 3:

172118/FUL - 40 SILVER STREET

Demolition of existing building and erection of a part 3 and part 4 storey (plus basement level) building to provide 62 studio rooms (sui generis use class) with associated ancillary space and landscaping works.

Written Representations.

Appeal dismissed.

171719/FUL - 39 BRUNSWICK HILL

Erection of part two/part three storey building containing 10 no. apartments with parking at rear following demolition of existing buildings.

Written Representations.

Appeal dismissed.

171954/FUL - 3-5 CRAVEN ROAD

Demolition of existing buildings and redevelopment to form 25 Retirement Living units (C3 use) for older persons with communal facilities, parking and associated landscaping.

Hearing.

Appeal dismissed.

Resolved -

- (1) That it be noted that there were no new appeals;
- (2) That the outcome of the recently determined appeals, as set out in Appendix 2, be noted;
- (3) That the reports on the appeal decisions set out in Appendix 3 be noted.

46. APPLICATIONS FOR PRIOR APPROVAL

The Director of Environment and Neighbourhood Services submitted a report giving details in Table 1 of eleven pending prior approval applications, and in Table 2 of seven applications for prior approval decided between 24 October and 21 November 2018.

Resolved - That the report be noted.

47. VEHICLE PARKING - ST PATRICK'S HALL INQUIRY

Further to Minute 61(2) of the meeting held on 7 February 2018, the Director of Environment and Neighbourhood Services submitted a report advising the Committee of new evidence and legal advice received since the decision to refuse planning permission 172045/FUL (St Patrick's Hall, 20 Northcourt Avenue), for

reasons including unacceptable additional pressure on parking on surrounding streets.

The report explained that the Committee had refused the application and the applicant, the University of Reading, had subsequently submitted an appeal against the refusal to the Secretary of State, which was to be dealt with by way of a Public Inquiry, starting on 19 March 2019. Officers were currently involved in preparing the Council's case for the Inquiry and had been advised that the parking situation had changed materially since the decision to refuse planning permission. In particular, parking restrictions had been introduced along Northcourt Avenue in the area adjacent to the appeal site and these were being enforced, which had materially reduced previous issues related to on-street parking in Northcourt Avenue. In addition the recent survey work had confirmed that sufficient capacity existed both within the site and on street to accommodate anticipated parking associated with the scheme.

As a result, the Council was not currently in a position to maintain a positive case on reason for refusal 2, and would be at risk of paying the Appellant's costs in relation to the parking matter if that reason for refusal was maintained. It was therefore recommended that the Local Planning Authority agree not to maintain reason for refusal number 2 in respect of vehicle parking when presenting the Council's case at the planning appeal.

Resolved -

That the reason for refusal number 2 of refused planning permission 172045 in relation to planning appeal reference APP/E0345/W/18/3209702 (Public Inquiry) be removed.

48. PLANNING APPLICATIONS

The Committee considered reports by the Director of Environment and Neighbourhood Services.

Resolved -

- (1) That, subject to the conditions now approved, permission be **granted** under planning legislation and, where appropriate, under the Advertisement Regulations, as follows:

181059/FUL - UNIT 1, ARENA BUSINESS PARK, ACRE ROAD

Change of use from storage and distribution to (Class B8) to a flexible Class B2/B8 use.

Granted as recommended.

Conditional planning permission and informatives as recommended.

Comments received and considered.

- (2) That the following application be **deferred** for the reasons indicated:

181555/FUL - GROVELANDS BAPTIST CHURCH, 553 OXFORD ROAD

Demolition of existing chapel and church hall. Redevelopment of the site to provide a three storey mixed use development comprising of community halls and ancillary accommodation at ground floor level, 2 x one bedroom flats, 6 x two bedroom flats and 2 x three bedroom flats at the upper floor levels, all with associated external amenity space, car parking and cycle storage.

An update report was tabled at the meeting which set out further information on balcony size and materials.

Deferred for the applicant to provide an independent heritage statement, to be produced in line with the relevant guidance from Historic England, and to provide additional information on the viability of the existing chapel and church hall.

Objectors Alistair de Joux and Emma Thomas, supporter Mick Penson, the applicant's agent Daniel Almond, and Ward Councillor Graeme Hoskin, attended the meeting and addressed the Committee on this application.

- (3) That, further to Minute 26(4) of the meeting held on 5 September 2018, and pursuant to Section 77 of the Town and Country Planning Act 1990, the Secretary of State for Housing, Communities and Local Government be informed that the Committee had resolved to grant the following application subject to a legal agreement and to provide a reasonable period of time (a minimum of 21 days) for the Secretary of State to consider whether to call in the application for determination:

180698/FUL - 448a BASINGSTOKE ROAD

Change of Use of 448a Basingstoke Road to a mixed B1 (a) (1735sqm including 72sqm of new mezzanine) /A3 (128sqm) /D1 (724sqm) use, with glazing to replace roller door (amended).

An update report was tabled at the meeting which advised the Committee that on 26 November 2018 the Health and Safety Executive had formally requested that the Secretary of State for Housing, Communities and Local Government consider call-in of this application should the Committee resolve to grant permission. The report also had appended a legal opinion provided for the site owner.

That the Head of Planning, Development and Regulatory Services be authorised to grant permission, in the event that the Secretary of State for Housing, Communities and Local Government did not call in the application.

The issue of planning permission to be dependent on the completion of a Section 106 legal agreement by 21 December 2018 (unless a later date be agreed by the Head of Planning, Development and Regulatory Services), to secure the Heads of Terms as resolved by the Committee at the meeting held on 5 September 2018.

In the event of the requirements set out not being met, the Head of Planning, Development and Regulatory Services be authorised to refuse permission.

Conditional planning permission and informatives as resolved by the Committee at

the meeting held on 5 September 2018.

Comments and objections received and considered.

Stuart Reston and Jonathan Halewood, representing the Health & Safety Executive which had objected to the application, the applicant's agent Deirdre Wells, and Ward Councillor Emmett McKenna, attended the meeting and addressed the Committee on this application.

- (4) That, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, the **carrying out of the following developments be authorised**, subject to the conditions now specified:

181448/REG3 - RIVERSLEY COURT, 205 WENSLEY ROAD

Single storey detached prefabricated water storage and treatment plant room.

Granted as recommended.

Conditional permission and informatives as recommended.

Comments received and considered.

181652/REG3 - FORMER READING FAMILY CENTRE, NORTH STREET/WELDALE STREET

Outline - erection of a 2.5, 3.5 and 4.5 storey building comprising 47 apartments (including 30 per cent affordable housing) in a mix of one, two and three-bedroom units. Landscaping, cycle and car parking with associated works (all matters reserved except layout and means of access).

An update report was tabled at the meeting which set out and explained revisions to the proposed Heads of Terms, following input from internal consultees and the Council's Planning Solicitor. The report also set out information on trees and landscaping, a number of corrections and clarifications, and recommended two additional conditions and an additional informative.

The issue of planning permission to be dependent on the completion of a Section 106 unilateral undertaking by 9 January 2019 (unless a later date be agreed by the Head of Planning, Development and Regulatory Services), to secure the Heads of Terms as set out in the original report, with the amendments set out in the update report.

In the event of the requirements set out not being met, the Head of Planning, Development and Regulatory Services be authorised to refuse permission.

Conditional planning permission and informatives as recommended in the original report, with the additional conditions and informative as recommended in the update report.

Comments received and considered.

181653/REG3 - FORMER READING FAMILY CENTRE, NORTH STREET/WELDALE STREET

Outline - erection of a 2.5, 3.5 and 4.5 storey building comprising 47 apartments for affordable housing in a mix of one, two and three-bedroom units. Landscaping, cycle & car parking with associated works (all matters reserved except layout and means of access).

An update report was tabled at the meeting which set out and explained revisions to the proposed Heads of Terms, following input from internal consultees and the Council's Planning Solicitor. The report also set out information on trees and landscaping, a number of corrections and clarifications, and recommended two additional conditions and an additional informative.

The issue of planning permission to be dependent on the completion of a Section 106 unilateral undertaking by 9 January 2019 (unless a later date be agreed by the Head of Planning, Development and Regulatory Services), to secure the Heads of Terms as set out in the original report, with the amendments set out in the update report.

In the event of the requirements set out not being met, the Head of Planning, Development and Regulatory Services be authorised to refuse permission.

Conditional planning permission and informatives as recommended in the original report, with the additional conditions and informative as recommended in the update report.

Comments received and considered.

(The meeting started at 6.30 pm and closed at 8.40 pm).

READING BOROUGH COUNCIL
REPORT BY DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

TO:	PLANNING APPLICATIONS COMMITTEE		
Date:	9 January 2019	AGENDA ITEM:	4
TITLE:	POTENTIAL SITE VISITS FOR COMMITTEE ITEMS		
SERVICE:	PLANNING	WARDS:	BOROUGH WIDE
AUTHOR:	Kiaran Roughan	TEL:	0118 9374530
JOB TITLE:	Planning Manager	E-MAIL:	kiaran.roughan@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To identify those sites where, due to the sensitive or important nature of the proposals, Councillors are advised that a Site Visit might be appropriate before the meeting of the next Committee (or at a future date) and to confirm how the visit will be arranged.

2. RECOMMENDED ACTION

- 2.1 That you resolve to visit the sites which will be identified by officers in a paper in the update Agenda on the day of the forthcoming Planning Applications Committee and confirm if there are any other sites Councillors consider necessary to visit before reaching a decision on an application.
- 2.2 That you confirm how the site will be visited, unaccompanied or accompanied, and if accompanied agree the site visit date and time.

3. THE PROPOSAL

- 3.1 The potential list of agenda items submitted since the last meeting of the Planning Applications Committee will be provided with the update Agenda on the day of forthcoming Planning Applications Committee. Where appropriate, I will identify those applications that I feel warrant a site visit by the Committee prior to formal consideration of the proposals.
- 3.2 Councillors may also request a site visit to other sites on that list if they consider it relevant to their ability to reach a decision on the application.
- 3.3 Officers may also recommend a site visit if they intend to report a normally delegated application to the Committee for a decision.
- 3.4 A site visit may also be proposed in connection with a planning enforcement issue which is before the Committee for consideration.
- 3.5 Site visits in the above circumstances should all take place in advance of a Committee decision and should only be used where the expected benefit is substantial.

- 3.6 A site visit is only likely to be necessary if the impact of the proposed development is difficult to visualise from the plans and any supporting material including photographs taken by officers (although, if this is the case, additional illustrative material should have been requested); or, there is a good reason why the comments of the applicant and objectors cannot be expressed adequately in writing; or, the proposal is particularly contentious.
- 3.7 Accompanied site visits consist of an arranged inspection by a viewing Committee, with officers in attendance and by arrangement with the applicant or their agent. Applicants and objectors however will have no right to speak but may observe the process and answer questions when asked. The visit is an information gathering opportunity and not a decision making forum.
- 3.8 Recently Councillors have expressed a preference to carry out unaccompanied site visits, where the site is easily viewable from public areas, to enable them to visit the site when convenient to them. In these instances the case officer will provide a briefing note on the application and the main issues to be considered by Councillors when visiting the site.
- 3.9 There may also be occasions where officers or Councillors request a post completion site visit in order to review the quality or impact of a particular development.

4. CONTRIBUTION TO STRATEGIC AIMS

- 4.1 Planning services contribute to producing a sustainable environment and economy within the Borough and to meeting the 2015 -18 Corporate Plan objective for "Keeping the town clean, safe, green and active." Under the heading, Neighbourhoods, the Corporate Plan aims to improve the physical environment - the cleanliness of our streets, places for children to play, green spaces, how we feel about our neighbourhood and whether we feel safe, have a sense of community and get on with our neighbours.

5. COMMUNITY ENGAGEMENT AND INFORMATION

- 5.1 Statutory neighbour consultation takes place on planning applications.

6. EQUALITY IMPACT ASSESSMENT

- 6.1 Officers when assessing an application and when making a recommendation to the Committee, will have regard to its duties Under the Equality Act 2010, Section 149, to have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. LEGAL IMPLICATIONS

- 7.1 None arising from this report.

8. FINANCIAL IMPLICATIONS

8.1 The cost of site visits is met through the normal planning service budget.

9. BACKGROUND PAPERS

Reading Borough Council Planning Code of Conduct.

Local Safety Practice 2013 Planning Applications Committee site visits.

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REPORT BY DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	9 January 2019	AGENDA ITEM:	5
TITLE:	PLANNING APPEALS		
AUTHOR:	Kiaran Roughan	TEL:	0118 9374530
JOB TITLE:	Planning Manager	E-MAIL:	Kiaran.roughan@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To report notifications received from the Planning Inspectorate on the status of various planning appeals.

2. RECOMMENDED ACTION

- 2.1 That you note the appeals received and the method of determination as listed in Appendix 1 of this report.
- 2.2 That you note the appeals decided as listed in Appendix 2 of this report.
- 2.3 That you note the Planning Officers reports on appeal decisions provided in Appendix 3 of this report.

3. INFORMATION PROVIDED

- 3.1 Please see Appendix 1 of this report for new appeals lodged since the last committee.
- 3.2 Please see Appendix 2 of this report for new appeals decided since the last committee.
- 3.3 Please see Appendix 3 of this report for new Planning Officers reports on appeal decisions since the last committee.

4. CONTRIBUTION TO STRATEGIC AIMS

- 4.1 Defending planning appeals made against planning decisions contributes to producing a sustainable environment and economy within the Borough and to meeting the 2015 -18 Corporate Plan objective for "Keeping the town clean, safe, green and active."

5. COMMUNITY ENGAGEMENT AND INFORMATION

- 5.1 Planning decisions are made in accordance with adopted local development plan policies, which have been adopted by the Council following public consultation. Statutory consultation also takes place on planning applications and appeals and this can have bearing on the decision

reached by the Secretary of State and his Inspectors. Copies of appeal decisions are held on the public Planning Register.

6. EQUALITY IMPACT ASSESSMENT

6.1 Where appropriate the Council will refer in its appeal case to matters connected to its duties Under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. LEGAL IMPLICATIONS

7.1 Public Inquiries are normally the only types of appeal that involve the use of legal representation. Only applicants have the right to appeal against refusal or non-determination and there is no right for a third party to appeal a planning decision.

8. FINANCIAL IMPLICATIONS

8.1 Public Inquiries and Informal Hearings are more expensive in terms of officer and appellant time than the Written Representations method. Either party can be liable to awards of costs. Guidance is provided in Circular 03/2009 “Cost Awards in Appeals and other Planning Proceedings”.

9. BACKGROUND PAPERS

9.1 Planning Appeal Forms and letters from the Planning Inspectorate.

APPENDIX 1

Appeals Lodged:

WARD: PEPPARD
APPEAL NO: APP/E0345/W/18/3211966
CASE NO: 172325
ADDRESS: 20 Chalgrove Way
PROPOSAL: Demolition of existing bungalow and replacement with 1 x 3 bed detached house and 2x4 bed houses as a semi detached house (revised layout and decrease in size of detached unit)
CASE OFFICER: Tom French
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 05.12.2018

WARD: KENTWOOD
APPEAL NO: APP/E0345/D/18/3214414
CASE NO: 181167
ADDRESS: 7 Oakham Close, Tilehurst, Reading
PROPOSAL: Part one, part two storey side and rear extension and enlargement of dormer
CASE OFFICER: Tom Hughes
METHOD: Householder Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 10.12.2018

WARD: SOUTHCOTE
APPEAL NO: APP/E0345/W/18/3215556
CASE NO: 181506
ADDRESS: 101 Southcote Lane
PROPOSAL: Dropped kerb and vehicle crossing (resubmission 180540)
CASE OFFICER: Tom Hughes
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 13.12.2018

APPENDIX 2

Appeals Decided:

WARD: SOUTHCOTE
APPEAL NO: APP/E0345/W/18/3208891
CASE NO: 180704
ADDRESS: 1 Kenilworth Avenue
PROPOSAL: Erection of 1 no 4 bedroom detached dwelling

CASE OFFICER: Stephen Vigar
METHOD: Written Representation
DECISION: Dismissed
DATE DETERMINED: 28.11.2018

WARD: THAMES
APPEAL NO: APP/E0345/W/18/3210325
CASE NO: 180128
ADDRESS: 2 Wrenfield Drive, Caversham
PROPOSAL: Proposed residential development of a one and half storey two bedroom dwelling with associated hard and soft landscaping.

CASE OFFICER: Ethne Humphreys
METHOD: Written Representation
DECISION: Dismissed
DATE DETERMINED: 30.11.2018

WARD: BATTLE
APPEAL NO: APP/E0345/W/18/3209745
CASE NO: 180017
ADDRESS: 109 Sherwood St
PROPOSAL: Replacement of lock up garage with two storey side extension

CASE OFFICER: Claire Ringwood
METHOD: Householder Written Representation
DECISION: Dismissed
DATE DETERMINED: 07.12.2018

WARD: BATTLE
APPEAL NO: APP/E0345/W/18/3204403
CASE NO: 171802
ADDRESS: 2 Connaught Close
PROPOSAL: Demolition of existing property and erection of 4 houses (2x3 bed and 2x4 bed)

CASE OFFICER: Claire Ringwood
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 3.12.2018

WARD: ABBEY
APPEAL NO: APP/E0345/W/18/3208790
CASE NO: 180740
ADDRESS: 9 Vachel Road
PROPOSAL: Conversion of existing building from single dwellinghouse to 3 x 1bed and 1 x 2 bed apartments

CASE OFFICER: Matthew Burns
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 3.12.2018

APPENDIX 3

Address Index of Planning Officers reports on appeal decisions.

- Land off Peppard Road, Emmer Green - Out of Borough

Planning Officers reports on appeal decisions attached.

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Ward: Out of Borough

Appeal No: APP/Q3115/W/17/3185997

Planning Ref: 162174 ADJ

Site: Land off Peppard Road, Emmer Green

Proposal: Residential development of up to 245 residential dwellings (including affordable housing), structural planting and landscaping, informal public open space and children's play areas, vehicular access from Peppard Road and Kiln Road and associated ancillary works.

Decision level: Committee

Method: Public Inquiry

Decision: Appeal dismissed

Date Determined: 13th November 2018

Inspector: Nick Palmer BA (Hons) BPI MRTPI

1 BACKGROUND

- 1.1 The response to the consultation of South Oxfordshire District Council was determined by Planning Applications Committee on 11th January 2017. Committee resolved to object to the application, mainly on the grounds of transport and education.
- 1.2 The planning application (S. Oxon. Ref P16/S3630/O, dated 31 October 2016) was refused by South Oxfordshire District Council by notice dated 14 September 2017 for reasons relating to poor design and character; loss of amenity to neighbours; failing to contribute to a mixed and balanced community and failing to enter into a S106 agreement and these were identified as the main issues by the Inspector.

2 SUMMARY OF DECISION

- 2.1 The main issues identified were:
 - i) whether or not the proposal would accord with development plan policies for the location of housing development and if not, whether other material considerations indicate that permission ought to be granted; and
 - ii) the effect of the proposal on the character and appearance of the area.
- 2.2 On the first main issue the inspector concluded that the proposal would not accord with development plan policies for the location of housing development and contrary to policies which seek to resist development in areas of countryside.
- 2.3 However, the Inspector was then required to consider issues of the supply of housing in South Oxfordshire and whether, if a five year housing land supply was not demonstrated, this amounted to a reason to grant permission contrary to local plan policies. While much time was given to this matter in the inquiry, following the close of the Inquiry, on 12 September 2018, the Government issued a Written Ministerial Statement (WMS) which temporarily amends national planning policy as it applies to Oxfordshire.
- 2.4 This resulted from ministerial approval of the Oxfordshire Housing and Growth Deal (OHGD) which is intended to facilitate housing delivery in Oxfordshire of 100,000 homes between 2011 and 2031. Under the deal, the Oxfordshire authorities are required to demonstrate a supply of deliverable housing sites of only three years instead of the five

years supply that is required elsewhere.

- 2.5 The main parties provided further written submissions on this change and on changes to Planning Practice Guidance after the close of the Inquiry. The Inspector found that the Council can demonstrate a three year supply of deliverable housing sites with an appropriate buffer and that he therefore did not need to consider whether housing land supply issues might outweigh other policy considerations.
- 2.6 In giving consideration to the second main issue, the Inspector found that that the site forms part of the setting of the Chilterns Area of Outstanding Natural Beauty (AONB). The proposed development would be visible from the AONB but at some distance. The development would clearly affect views from the existing urban area towards the AONB. It would also be experienced by users of footpaths between the urban area and the AONB. The Inspector found that the landscape is of good quality and in good condition. Its features are typical of the landscape character of the area, including land within the AONB. He considered that while it was not a valued landscape, the landscape of which the site forms part has significant value.
- 2.7 Against this he found that the development would be prominent and intrusive in that landscape and that it would erode the open setting of the AONB. On this main issue the Inspector concluded that the proposal would unacceptably harm the character and appearance of the area, contrary to local plan policies.
- 2.8 The Inspector referred to the various benefits of the scheme, including its provision of affordable housing and its generally sustainable location. He found that transport impacts could be satisfactorily mitigated by appropriate works and financial contributions. However, in his overall balance of the arguments he found that benefits identified are not of sufficient weight to outweigh the policy conflict.

Head of Planning, Development & Regulatory Services Comment:

This is a very good decision for South Oxfordshire District Council and removes the threat of an immediate unplanned greenfield extension to the area adjacent to the boundary with Reading Borough Council.

However, it is clear from this application and the representations made to the Reading Borough Local Plan and to the South Oxfordshire on their local plan, that there is considerable landowner and developer interest in development adjacent to the boundary of the two authorities. The application and appeal has raised issues about transport and other infrastructure capacity in the area as well as the value and quality of the landscape. This is resulting in further discussions and co-operation with South Oxfordshire to develop a joint approach to the future planning of this area.

REPORT BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	9 January 2019	AGENDA ITEM:	6
TITLE:	APPLICATIONS FOR PRIOR APPROVAL		
AUTHOR:	Julie Williams & Richard Eatough		
JOB TITLE:	Area Team Leaders	E-MAIL:	Julie.williams@reading.gov.uk Richard.eatough@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To advise Committee of new applications and decisions relating to applications for prior-approval under the amended Town and Country Planning (General Permitted Development) Order (GPDO 2015).

2. RECOMMENDED ACTION

- 2.1 That you note the report.

3. BACKGROUND

- 3.1 At your meeting on 29 May 2013 a report was presented which introduced new permitted development rights and additional requirements for prior approval from the local planning authority for certain categories of permitted development. It was agreed then that a report be brought to future meetings for information and to include details of applications received for prior approval, those pending a decision and those applications which have been decided since the last Committee date.

4 TYPES OF PRIOR APPROVAL APPLICATIONS

- 4.1 The categories of development requiring prior approval under the Town and Country Planning (General Permitted Development)(England) Order 2015, or amended by the Town and Country Planning (General Permitted Development)(England)(Amendment) Order 2016 that are of most relevance to Reading Borough are summarised as follows:

- **Householder development - single storey rear extensions.** GPDO Part 1, Class A1(g-k).
- **Change of use from A1 shops or A2 financial & professional, betting office, pay day loan shop or casino to A3 restaurants and cafes.** GPDO Part 3 Class C.
- **Change of use from A1 shops or A2 financial & professional, betting office or pay day loan shop to Class D2 assembly & leisure.** GPDO Part 3 Class J.
- **Change of use from A1 shops or A2 financial and professional or a mixed use of A1 or A2 with dwellinghouse to Class C3 dwellinghouse.** GPDO Part 3 Class M*
- **Change of use from an amusement arcade or a casino to C3 dwellinghouse & necessary works.** GPDO Part 3 Class N
- **Change of use from B1 office to C3 dwellinghouse** GPDO Part 3, Class O*.
- **Change of use from B8 storage or distribution to C3 dwellinghouse** GPDO Part 3, Class P

- Change of use from B1(c) light industrial use to C3 dwellinghouse GPDO Part 3, Class PA*
- Change of use from agricultural buildings and land to Class C3 dwellinghouses and building operations reasonably necessary to convert the building to the C3 use. GPDO Part 3 Class Q.
- Change of use of 150 sq m or more of an agricultural building (and any land within its curtilage) to flexible use within classes A1, A2, A3, B1, B8, C1 and D2. GPDO Part 3 Class R.
- Change of use from Agricultural buildings and land to state funded school or registered nursery D1. GPDO Part 3 Class S.
- Change of use from B1 (business), C1 (hotels), C2 (residential institutions), C2A (secure residential institutions and D2 (assembly and leisure) to state funded school D1. GPDO Part 3 Class T.
- Temporary use of buildings for film making for up to 9 months in any 27 month period. GPDO Part 4 Class E
- Development under local or private Acts and Orders (e.g. Railways Clauses Consolidation Act 1845). GPDO Part 18.
- Development by telecommunications code system operators. GPDO Part 16.
- Demolition of buildings. GPDO Part 11.

4.2 Those applications for Prior Approval received and yet to be decided are set out in the appended Table 1 and those applications which have been decided are set out in the appended Table 2. The applications are grouped by type of prior approval application. Information on what the estimated equivalent planning application fees would be is provided.

4.3 It should be borne in mind that the planning considerations to be taken into account in deciding each of these types of application are specified in more detail in the GDPO. In some cases the LPA will first need to confirm whether or not prior approval is required before going on to decide the application on its planning merits where prior approval is required.

4.4 Details of any appeals on prior-approval decision will be included elsewhere in the agenda.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 Changes of use brought about through the prior approval process are beyond the control or influence of the Council's adopted policies and Supplementary Planning Documents. Therefore it is not possible to confirm how or if these schemes will contribute to the strategic aims of the Council.

6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 Statutory consultation takes place in connection with applications for prior-approval as specified in the Order discussed above.

7 EQUALITY IMPACT ASSESSMENT

7.1 Where appropriate the Council must have regard to its duties under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 There are no direct implications arising from the proposals.

8. LEGAL IMPLICATIONS

8.1 None arising from this Report.

9. FINANCIAL IMPLICATIONS

9.1 Since the additional prior notifications were introduced in May 2013 in place of applications for full planning permission, the loss in fee income is estimated to be £1,091,016.

(Office Prior Approvals - £1,007,513: Householder Prior Approvals - £66,408: Retail Prior Approvals - £6556: Demolition Prior Approval - £2135: Storage Prior Approvals - £5350: Shop to Restaurant Prior Approval - £2650: Shop to Leisure Prior Approval - £305)

Figures since last report

Office Prior Approvals - £55326: Householder Prior Approvals - £824

9.2 However it should be borne in mind that the prior notification application assessment process is simpler than would have been the case for full planning permission and the cost to the Council of determining applications for prior approval is therefore proportionately lower. It should also be noted that the fee for full planning applications varies by type and scale of development and does not necessarily equate to the cost of determining them.

10. BACKGROUND PAPERS

The Town and Country Planning (General Permitted Development) (England) Order 2015

Town and Country Planning (General Permitted Development)(England)(Amendment) Order 2016.

Table 1 - Prior-approval applications pending @ 13 December 2018

Application type CLASS A - Householder

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments	Equivalent planning application fee
Householder Prior Approval - Class A, Part 1 GPDO 2015	181922	62a South View Avenue, Caversham, Reading, RG4 5AJ	Caversham	Rear extension measuring 5m in depth, with a maximum height of 3.6m, and 3m in height to eaves level.	06/11/2018	17/12/2018		£206
Householder Prior Approval - Class A, Part 1 GPDO 2015	182041	26 Queen Street, Caversham, Reading, RG4 7RB	Caversham	Rear extension measuring 7m in depth, with a maximum height of 3m, and 3m in height to eaves level.	20/11/2018	31/12/2018		£206
Householder Prior Approval - Class A, Part 1 GPDO 2015	182142	84 Basingstoke Road, Reading, RG2 0EL	Katesgrove	Rear extensions measuring 5.985m & 4.73 in depth, with a maximum height of 3.05m & 3.15m and 2.95m & 2.475m in height to eaves level.	05/12/2018	17/01/2019		£206
Householder Prior Approval - Class A, Part 1 GPDO 2015	182023	19 Northumberland Avenue, Reading, RG2 7PS	Redlands	Rear extension measuring 4m in depth, with a maximum height of 3m, and 3m in height to eaves level.	16/11/2018	27/12/2018		£206

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments	Equivalent planning application fee
Householder Prior Approval - Class A, Part 1 GPDO 2015	182042	459 Basingstoke Road, Reading, RG2 0JF	Whitley	Rear extension measuring 5m in depth, with a maximum height of 3.10m, and 2.925m in height to eaves level.	20/11/2018	31/12/2018		£206

Office to Residential Prior Approval applications pending

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments	Equivalent planning application fee
Office use to dwelling house - Class O, Part 1 GPDO 2015	181949	24 Eldon Road, Reading, RG1 4DL	Abbey	Change of use from Class B1(a) (offices) to C3 (dwelling houses) to comprise four self contained residential apartments comprising 1 x 2 bed flat and 3 x 1 bed flats.	08/11/2018	03/01/2019		£1290
Office use to dwelling house - Class O, Part 1 GPDO 2015	182098	Eaton Court, 106-112 Oxford Road, Reading, RG1 7FU	Abbey	Change of use of office building from Class B1(a) (offices) to C3 (dwelling houses) to comprise 59 dwelling units.	21/11/2018	16/01/2019		£27162
Office use to dwelling house - Class O, Part 1 GPDO 2015	182109	1 Station Road/22 Friar Street, Reading, RG1 1LG	Abbey	Change of use 1st, 2nd and 3rd floors of building from Class B1(a) (offices) to C3 (dwelling houses) to comprise 15 dwellings.	29/11/2018	28/01/2019		£6834

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments	Equivalent planning application fee
Office use to dwelling house - Class O, Part 1 GPDO 2015	182058	land to the rear of, 8 Prospect Street, Reading, RG1 7YG	Battle	Change of use of building from Class B1(c)(light industrial) to C3 (dwellinghouses) to comprise of 3 x 1 bed flats & 1 x 2 bed flats.	23/11/2018	21/01/2019		£1752
Office use to dwelling house - Class O, Part 1 GPDO 2015	182017	16 Bridge Street, Caversham, Reading, RG4 8AA	Caversham	Change of use of first floor from Class B1(a) (offices) to C3 (dwelling houses) to comprise of 2 x 1 bed apartments.	16/11/2018	11/01/2019		£828
Office use to dwelling house - Class O, Part 1 GPDO 2015	181943	3 Aveley Walk, Reading	Katesgrove	Change of use of ground floor from Class B1(a) (offices) to C3 (dwelling houses) to comprise of 1 x 1 bedroom flat.	07/11/2018	03/01/2019		£366
Office use to dwelling house - Class O, Part 1 GPDO 2015	182027	10 Southern Court, South Street, Reading, RG1 4QS	Katesgrove	Change of use from Class B1(a) (offices) to C3 (dwelling houses) to comprise of 16 Residential units.	16/11/2018	14/01/2019		£6834
Office use to dwelling house - Class O, Part 1 GPDO 2015	182091	85-87 Basingstoke Road, Reading, RG2 0HA	Katesgrove	Change of use of part ground, first and second floors from Class B1(a) (offices) to C3 (dwelling houses) to comprise of 17 flats.	27/11/2018	22/01/2019		£7758
Office use to dwelling house - Class O, Part 1 GPDO 2015	182166	Cadogan House, Rose Kiln Lane, Reading, RG2 0HP	Minster	Change of use from Class B1(a) (offices) to C3 (dwellinghouses) to comprise 24 residential units.	10/12/2018	04/02/2019		£10992

Demolition Prior Approval applications pending

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments
Demolition Prior Approval	182168	Garrard Street Car Park, Garrard Street, Reading, RG1 1NR	Abbey	Application for prior notification of proposed demolition of the existing car park.	10/12/2018	07/01/2019	
Demolition Prior Approval	182171	Telecom House & Friars Walk Shopping Centre, Friar Street, Reading, RG1 1BA	Abbey	Application for prior notification of proposed demolition of the Telecom House and Friars Walk Shopping Centre.	10/12/2018	07/01/2019	

Retail Prior Approvals applications pending - None

Prior Notification applications pending - None

Shop to Assembly & Leisure Prior Approval applications pending - None

Telecommunications Prior Approval applications pending - None

Storage to Residential Prior Approval applications pending - None

Shop to Restaurant Prior Approval applications pending - None

Table 2 - Prior-approval applications decided 21 November 2018 to 13 December 2018

Application type CLASS A - Householder

Application type	Application reference number	Address	Ward	Proposal	Date Received	Decision Date	Decision
Householder Prior Approval - Class A, Part 1 GPDO 2015	181897	18 Thicket Road, Tilehurst, Reading, RG30 4TY	Tilehurst	Rear extension measuring 4m in depth, with a maximum height of 3.2m, and 2.2m in height to eaves level.	31/10/2018	05/12/2018	Prior Approval NOT REQUIRED
Householder Prior Approval - Class A, Part 1 GPDO 2015	181873	32 Landrake Crescent, Reading, RG2 8AJ	Whitley	Rear extension measuring 6.0m in depth, with a maximum height of 3.15m, and 2.9m in height to eaves level.	29/10/2018	26/11/2018	Prior Approval NOT REQUIRED
Householder Prior Approval - Class A, Part 1 GPDO 2015	181923	3 Farrowdene Road, Reading, RG2 8SD	Whitley	Rear extension measuring 4m in depth, with a maximum height of 3.3m, and 2.4m in height to eaves level.	06/11/2018	10/12/2018	Prior Approval NOT REQUIRED
Householder Prior Approval - Class A, Part 1 GPDO 2015	181942	24 Yelverton Road, Reading, RG2 7SU	Whitley	Rear extension measuring 4m in depth, with a maximum height of 2.9m, and 2.85m in height to eaves level.	06/11/2018	11/12/2018	Prior Approval NOT REQUIRED

Application type	Application reference number	Address	Ward	Proposal	Date Received	Decision Date	Decision
Householder Prior Approval - Class A, Part 1 GPDO 2015	181993	24 Brayford Road, Reading, RG2 8LT	Whitley	Rear extension measuring 6m in depth, with a maximum height of 4m, and 3m in height to eaves level.	12/11/2018	12/12/2018	Prior Approval NOT REQUIRED

Office to Residential Prior Approval applications decided

Application type	Application reference number	Address	Ward	Proposal	Date Received	Decision Date	Decision
Office use to dwelling house - Class O, Part 1 GPDO 2015	181685	179a Oxford Road, Reading	Abbey	Change of use of first floor from Class B1(a) (offices) to C3 (dwelling houses) to comprise 1 studio flat.	24/09/2018	04/12/2018	Prior Approval Notification - Approval

Demolition Prior Approval applications decided

Application type	Application reference number	Address	Ward	Proposal	Date Received	Decision Date	Decision
Demolition Prior Approval	180725	40 Silver Street, Reading, RG1 2ST	Katesgrove	Application for prior notification of proposed demolition.	01/05/2018	03/12/2018	Prior Approval Notification - Approval

Retail to Residential applications decided - None

Shop to Restaurant Prior Approval applications decided - None

Prior Notification applications decided - None

Telecommunications Prior Approval applications decided - None

Storage to Residential Prior Approval applications decided - None

Shop to Assembly & Leisure Prior Approval applications decided - None

Agenda Item 7

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT, CULTURE & SPORT

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	9 th January 2019	AGENDA ITEM:	7
TITLE:	QUARTERLY PERFORMANCE MONITORING REPORT - DEVELOPMENT MANAGEMENT SERVICE - Quarters 1 2 and 3, 2018/19		
SERVICE:	PLANNING	WARDS:	BOROUGHWIDE
LEAD OFFICER:	KIARAN ROUGHAN	TEL:	0118 937 4530 (74530)
JOB TITLE:	PLANNING MANAGER	E-MAIL:	kiaran.roughan@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 This report provides the quarterly report for Quarters 1, 2 and 3 (April - December) of 2018/19. The figures for Quarter 3 are based on figures up to the 12th December 2018. Final figures to the 31st December will be provided in an update report to Committee. The report sets out the Council's current performance against government criteria for designation and corporate indicators where they vary from the government criteria.

2. RECOMMENDED ACTION

- 2.1 That the contents of the report be noted.

3. BACKGROUND

- 3.1 The main measure used by the Secretary of State in assessing a local planning authority's performance in determining planning applications is the percentage of decisions on applications made:
- (a) within the statutory determination period; or
 - (b) within such extended period as has been agreed in writing between the applicant and the local planning authority;

These measures are applied separately to major applications and to non-major applications. There are also quality measures that relate to appeal decisions which are reported in the Annual Monitoring Report.

4. PERFORMANCE INDICATORS and TARGETS

- 4.1 The following table provides monitoring information against the relevant quarterly corporate indicators:

Table 1 RBC Planning Service Quarterly Performance Indicators for 2018/19

Description	Target	16-17	17/18	Q1 18-19	Q2 18-19	Q3 18-19	Q4 18-19
Percentage of major applications decided within: (i) statutory 13/16 weeks, or (ii) the extended period agreed with the applicant. (NB note that a risk of designation occurs where 40% or fewer of their decisions on major applications are made within the statutory determination period or such extended period as has been agreed in writing with the applicant).	60%	89% (42/47)	80% (24/30)	100% (6/6)	100% (7/7)	78% (7/9)	
Percentage of minor applications decided within (i) statutory 8 weeks or (ii) the extended period agreed by the applicant.	65%	74% (166/ 223)	88% (205/ 234)	90% (43/ 48)	86% (48/ 56)	93% (28/ 30)	
Percentage of other applications decided within statutory 8 weeks	80%	59% (457/ 769)	68% (478/ 699)	59% (104/ 176)	63% (109/ 172)	53% (72/ 135)	
Percentage of other applications decided within (i) statutory 8 weeks or (ii) the extended period as agreed by applicant.	80%	85% (657/ 769)	96% (669/ 699)	96% (169/ 176)	95% (163/ 172)	92% (124/ 135)	
Percentage of householder applications (not for prior approval) decided within (i) statutory 8 weeks or (ii) the extended period agreed by the applicant.	80%	62% (308/ 499)	92% (429/ 464)	96% (113/ 118)	94% (121/ 129)	91% (86/ 95)	
Percentage of householder applications (not for prior approval) decided within statutory 8 weeks.	80%	86% (430/ 499)	69% (321/ 464)	66% (78/ 118)	65% (84/ 129)	56% (53/ 95)	
Planning Enforcement: % of enforcement complaints resolved within appropriate deadline according to priority	60%	82% (244/ 299)	79% (199/ 252)	96% (67/ 70)	96% (67/ 70)	94% (62/ 66)	
Appeal performance - % allowed as a total of all appeals (a lower % figure is better)	30%	20% (8/41)	43% (16/37)	50% (2/4)	33% (4/12)	8% (1/12)	
Major application appeal performance - % allowed as a total of all appeals (NB note that a risk of designation occurs where more than 20% of major applications decisions are overturned on appeal. (a lower % figure is better)	20%	0% (0/0)	0% (0/2)	100% (1/1)	100% (1/1)	25% (1/4)	

4.2 The key results for Quarter 4 of 2017/18 are as follows:

- A total of 741 planning applications were validated during Quarters 1-3 of 2018/19, compared to a total of 787 in the same period during 2017/18, a very small decrease.

- The Council's performance overall remains steady and generally well above the target levels.
- Enforcement performance remains above target.
- Performance on appeals remains good.

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 Planning services contribute to producing a sustainable environment and economy within the Borough and to meeting the 2018 Corporate Plan objectives for "Keeping the town clean, safe, green and active."

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 Statutory consultation takes place on planning applications and appeals and this can influence the speed with which applications and appeals are decided. Information on development management performance is publicly available.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 7.2 In terms of the key equalities protected characteristics, it is considered that the development management performance has no adverse impacts.

8. LEGAL IMPLICATIONS

- 8.1 The collection and monitoring of performance indicators is a statutory requirement and a requirement of DCLG. In addition a number of the work related programmes referred to in this report are mandatory requirements including the determination of planning applications and the preparation of the development plan.

9. FINANCIAL IMPLICATIONS

- 9.1 There are no direct financial implications arising from this report.

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Agenda Item 8

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	9 th January 2019	AGENDA ITEM:	8
TITLE:	MHCLG CONSULTATION ON PLANNING REFORMS		
LEAD COUNCILLOR:	COUNCILLOR PAGE	PORTFOLIO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT
	COUNCILLOR MASKELL		CHAIR, PLANNING APPLICATIONS COMMITTEE
SERVICE:	PLANNING	WARD:	ALL
LEAD OFFICER:	KIARAN ROUGHAN	TEL:	0118 9374530
JOB TITLE:	PLANNING MANAGER	E-MAIL:	kiaran.roughan@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 The Ministry of Housing, Communities and Local Government (MHCLG) published a consultation document entitled "Planning Reform: Supporting the high street and increasing the delivery of new homes," at the end of October, 2018. A copy of the document can be viewed at <https://www.gov.uk/government/consultations/planning-reform-supporting-the-high-street-and-increasing-the-delivery-of-new-homes>.
- 1.2 The document covers a number of issues but of most interest to this committee are proposed changes to permitted development rights and use classes, in particular proposed new permitted development rights to extend upwards.
- 1.3 This report briefly outlines the main changes proposed in the consultation being undertaken by the Ministry of Housing, Communities and Local Government (MHCLG). It sets out initial officer views on these proposed changes. The report asks Committee to note the consultation document, agree the initial offer response to the proposed changes to permitted development rights and use classes, and to delegate authority for final representations to be agreed by the Chair of Planning Applications Committee and the Lead Councillor for Strategic Environment Planning and Transport for submission by the consultation end date of 14th January 2019.

2.0 RECOMMENDED ACTION

- 2.1 That the Committee notes the publication of the Planning Reform consultation Document by MHCLG in October 2018.
- 2.2 Agree the initial officer commentary on the proposed changes to permitted development rights and use classes; and
- 2.3 Delegate authority for final representations on the consultation to be agreed by the Chair of Planning Applications Committee and the Lead Councillor for Strategic Environment Planning and Transport.

3. BACKGROUND AND ISSUES

3.1 (MHCLG) published their latest proposed “Planning Reforms” for consultation at the end of October 2018. The consultation will end on 14th January 2019. The consultation document is in 4 parts:

- Part 1: Permitted development rights and use classes;
- Part 2: Disposal of local authority land;
- Part 3: Canal & River Trust: Draft listed building consent order;
- Part 4: New town development corporations: Draft compulsory purchase guidance

This report concentrates on Part 1, which is the area of most relevance to responsibilities of this committee, but deals briefly with the other parts.

3.2 Coinciding with the Autumn budget, MHCLG published a detailed consultation paper which proposes various extensions to existing PD rights, plus some new ones. The two most contentious proposals in the consultation paper are those that relate to the upward extension of existing buildings using the airspace above existing buildings for additional new homes and extensions and the suggested creation of a PD right to allow the demolition of existing commercial buildings and the redevelopment of the sites for housing. The consultation also seeks views on:

- new permitted development rights to allow greater flexibility for change of use;
- removal of the right to install new public call boxes and the associated advertising consent;
- increasing the height threshold for the installation of off-street electric vehicle charging points.
- making other existing time-limited rights permanent, and
- making an update to the Use Classes Order to reflect changes in high streets.

Upward extensions

3.3 The government is proposing a new PD right, subject to prior approval by the LPA, to allow additional storeys to be built above certain buildings, in particular those in commercial or residential (C3) use. A number of options for such pd are put forward. The corresponding potential criteria and rules for qualifying for this pd are imprecise and quite complicated. They raise a number of issues that need to be considered.

3.4 For example, under one option, this PD right could apply to the airspace above premises in a terrace of two or more joined properties where there is at least one higher building in the terrace. The roof of the premises extending upward would be no higher than the main roofline of the highest building in the existing terrace. This would have the advantage of providing a fixed local point against which any proposal could be considered and offer greater certainty on what is permitted.

3.5 An alternative approach would be to permit upward extensions more widely to a height no higher than the prevailing roof height in the locality. While this may extend the proposed right to a greater number of properties, it would not be possible to define the prevailing roofline in regulations; it would be a matter to be considered by the local authority as part of the prior approval. In doing so, the local authority would be able to define what it considered to be the prevailing roofline taking account of the local building types and heights and the extent of the area over which it should be determined. But this offers less certainty.

3.6 Local amenity impacts would have to be considered when reviewing a proposal to construct additional storeys. The government is therefore proposing that there should be a maximum limit of 5 storeys from ground level for a building once extended, with anything

higher requiring a planning application. (This would be based on an additional storey not exceeding 3 metres in height). There would also be potential issues where premises are not on level ground. The impact of adding additional storeys in these cases could be significantly greater on the amenity of neighbouring premises, for example from overlooking and overshadowing and on the character of the area.

- 3.7 The government would also like a permitted development right to apply to purpose built, free-standing blocks of flats (within Use Class C3) over 5 storeys in height they see this as providing an opportunity to deliver additional new homes through upwards extensions, but it would have to be determined whether there should be a limit on the number of additional storeys that could be added.
- 3.8 The government proposes that upward extensions should be permitted on premises in a range of uses that are compatible with C3 residential use. These could include existing C3 residential premises, those high street uses that can already change use to housing under a permitted development right (shops (A1), financial and professional services (A2), restaurants and cafes (A3), betting shops, pay day loan shops and launderettes (which are *sui generis*), offices (B1 (a)), and buildings in mixed use within these uses. The government also wants to explore whether there may also be other buildings whose use is compatible with the introduction of new homes. Given that they are usually located in residential areas or high streets, would premises such as health centres and buildings used for community and leisure purposes be suitable for inclusion in the permitted development right? It is suggested that out-of-town retail parks with a mix of shopping and leisure uses may also be suitable for upward extensions to provide additional homes.
- 3.9 Prior Approval would be required for these upward extensions. These would include matters such as flooding and contamination risks, transport and highways and the impact of additional new homes on existing occupiers and businesses, especially those that create noise and odours which may be a statutory nuisance. The prior approval would also assess the impacts of any works external to the building and within the curtilage, including fire escapes. Prior approval would also require consideration of the design, siting and appearance of the upward extension and its impact on the amenity and character of the area, taking account of the form of neighbouring properties. This may include considering whether the proposed development is of good design, adds to the overall quality of the area over its lifetime, is visually attractive as a result of good architecture, responds to the local character and history of the area and maintains a strong sense of place, as set out in paragraph 127 of the NPPF. But the government expects prior approval on design to be granted where the design is in keeping with the existing design of the building.
- 3.10 Prior approval would also consider the impact of the development on the amenity of neighbouring premises, for example, from obscuring existing windows, reducing access to light or resulting in unacceptable impact on neighbours' privacy from overlooking. It would also consider measures to mitigate these impacts, and enable the neighbours, including owners and occupiers of premises impacted, to comment on the proposal.
- 3.11 There would be an application fee calculated per extra dwelling created, to recognise the range and complexity of issues for local authority consideration.
- 3.12 An additional idea, which seems to have been almost afterthought, is that the proposed right to build upwards might possibly be drafted so as to allow householders to extend their own homes. However, the consultation simply throws the idea open for discussion and asks whether the PD right for upward extension of a dwelling should allow for the enlargement of an existing home and, if so, what considerations should apply.
- 3.13 *Commentary: It is very difficult to see any reason for this or how it might work. The list of considerations is little different to the considerations that would be made in a planning application. The planning fee would be reduced but it looks as though prior approval could be refused on design or amenity grounds which would be the more significant concerns in such developments. The main benefit for the development industry would be*

that a local planning authority could not seek affordable housing and such pd would avoid any other Section 106 requirements (under current regulations it will usually be liable to pay CIL). This therefore becomes another form of development unnecessarily excluded from contributing to much needed affordable housing. A cynic might say that this is the only reason for this unnecessary change. Widening permitted development rights to the extent that is now canvassed by the government makes rather a nonsense of the whole concept of "permitted development".

- 3.14 *The permitted development right would need to allow for the physical works required to construct or install additional storeys on a building. These could include works to strengthen existing walls, engineering works to strengthen existing foundations to support the additional storeys and works to provide safe access and escape for any additional new homes within the building's footprint. Separately it should also allow for works within the curtilage where it is necessary for access to the additional new homes.*

Demolition of commercial buildings and replacement with housing

- 3.15 In the Autumn Budget of 2017 the government committed to consulting on introducing a permitted development right that would allow the demolition of commercial buildings and their replacement with residential development.
- 3.16 The government now suggests that a PD right focused on smaller sites may be more practical. For example, in formulating such a PD right it might be necessary to consider the size of the site; the height and density of new buildings; the existing use of the site, the relationship with local plan policies for key sites and areas where the right should apply.
- 3.17 This would be subject to prior approval (possibly requiring the wider range of matters mentioned above to be considered than under current PD rights, including any necessary mitigation measures). Higher application fees would probably be payable.
- 3.18 *Commentary: The consultation proposal ignores the vital issue of loss of employment land. Many authorities, including Reading, protect such buildings through policy in the strongest possible terms. A situation that enabled such units to be lost to housing without consideration of the impacts on the wider economy would run directly counter to the national emphasis on economic growth, and particularly enabling small business growth.*
- 3.19 *The proposal is unrealistic in operational terms since a host of exceptions would be needed to mitigate the risk of homes being provided in unsuitable locations through noise, fumes, traffic, etc., and employment uses being constrained in their operations through having to have regard to the amenity nearby residential uses.*
- 3.20 *This would involve an overly complex and confusing system of control which will be unacceptable to developers, local communities and planning authorities. The planning fee would be reduced but it looks as though prior approval could be refused on design or amenity grounds which would be significant concerns. There would also be concerns over the impact of such developments on the local economy from loss of employment and from residents being introduced that could curtail existing operations through complaints etc. However, the consultation does seem to allow for consideration of the existing use of the site and planning policy considerations.*
- 3.21 *Again it is very difficult to see any reason for this or how it might work other than that this becomes another form of development unnecessarily excluded from contributing to much needed affordable housing.*

Change of use from storage or distribution (B8) to residential

- 3.22 Class P in Part 3 introduced a PD right for change of use from storage or distribution (within certain limits) to residential use in 2015 for a period of three years. The right was

extended in April 2018 for a further 14 months. At present Class P allows applicants to secure prior approval on or before 10 June 2019, and gives those with prior approval three years from the prior approval date in which to complete the change of use. The government now proposes that this PD right should be made permanent and that the existing conditions, including the matters requiring prior approval, should remain unchanged.

- 3.23 The consultation document does not, however, mention any intention to extend or make permanent the current PD right under Class PA for the residential conversion of light industrial buildings. This PD right is currently due to expire on 30 September 2020.
- 3.24 *Commentary: While these measures appear to have been little used in Reading, it is concerning that the government are proposing to make temporary measures permanent with no reference to any case studies or any justification for making these changes permanent.*

Larger extensions to dwellinghouses

- 3.25 The permitted development right for larger extensions to dwellinghouses, introduced in 2013, was originally intended to be purely temporary, but in 2014 this PD right was extended for three years, to May 2019. In view of its continuing popularity, the government now proposes that the right should be made permanent. The existing conditions would remain unchanged, but where prior approval of larger extensions is required under these rules, the government proposes to introduce an application fee of £96.

Public call boxes and advertisements

- 3.26 This is a subject that has proved to be controversial, and so the government is now consulting on the possibility that the right to erect phone boxes as PD might be ended. There is also a closely connected issue regarding advertising displayed on these boxes, and so an amendment of the Control of Advertisement Regulations is also on the cards.
- 3.27 *Commentary: This is a welcome measure.*

Increased size limits for off-street electric vehicle charging points

The Government proposes to increase the existing size limits for electric vehicle charging points located in off-street parking areas to facilitate rapid charging.

Commentary: This is also a welcome measure.

Changes to the Use Classes Order?

- 3.28 The consultation paper indicates that the Use Classes Order might be amended in relation to the various Class A uses. This might involve the amalgamation or adjustment of some of the existing town centre uses (A1, A2, A3, A4 and A5). It isn't a new idea, and has been mentioned several times in the past.
- 3.29 *Commentary: Any changes may result in local authorities losing control over drinking establishments takeaways and other town centre uses and make established town centre policies relating to town centre uses redundant. The proposed change would have very significant negative implications, in terms of increasing tensions between potentially incompatible uses, in terms of not adequately addressing significant impacts such as on traffic, and in terms of unacceptable loss of employment land, which could affect economic growth. The Council's strong view has always been that the change as proposed should not proceed.*

Part 2: Disposal of local authority land

- 3.30 There are well established consent procedures in place where local authorities seek to dispose of surplus land at less than best consideration. The government are proposing to extend local authorities' freedoms to do so without seeking consent from the Secretary of State, thereby providing greater flexibility to dispose of surplus land in support of local development objectives.

Part 3: Canal & River Trust: Draft listed building consent order

- 3.31 The government are proposing to make the first listed building consent order which will allow minor, routine works to the Canal & River Trust's listed waterway structures without the need for individual listed building consent applications. This will remove unnecessary applications from the system while ensuring that appropriate protection for listed buildings and their settings is maintained.

Part 4: New town development corporations: Draft compulsory purchase guidance

- 3.32 The government are seeking views on draft guidance on the compulsory purchase powers of new town development corporations. It sets out, amongst other things, the factors which Ministers will take into account when deciding whether or not to confirm new town compulsory purchase orders. This is intended to provide additional clarity to those with an interest in proposed new settlements, including promoters, investors, infrastructure providers, landowners and local communities.

4.0 COMMENTARY

- 4.1 Local planning authorities have never been happy with the significant widening in the scope of permitted development under the GPDO since 2013, particularly those provisions that permit various residential conversions. They are unnecessary, remove essential controls but, most importantly, besides significantly reducing planning fees, they remove developer contributions to the provision of much needed affordable housing and some essential infrastructure provision that would otherwise be sought through Section 106 agreements
- 4.2 Under the proposals in this consultation it looks as though issues that would have to be considered in relation to a prior approval application for these developments would be substantially similar to those that would apply to a planning application. It is difficult to really see what advantage is to be gained from making such developments PD, so why make the change? Widening permitted development rights to the extent that is now canvassed by the government makes rather a nonsense of the whole concept of "permitted development." The consultation seems very ill thought-out, designed to implement sound bites in the 2018 budget, and appears to almost be putting ideas out for consultation to see what comes back.
- 4.3 This report has provided limited initial commentary on the main changes proposed in the consultation. The 47 pages consultation document contains a total of 45 consultation questions on which the government is seeking a response. Officers are currently working on draft responses to a relevant selection of these questions. Committee is asked to delegate authority for final representations on the consultation to be agreed by the Chair of Planning Applications Committee and the Lead Councillor for Strategic Environment Planning and Transport. The deadline for responses to the consultation is 14th January 2019.

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 The Planning Service contributes to the Council's strategic aims in terms of:

- Seeking to meet the 2018 Corporate Plan objectives for “Keeping the town clean, safe, green and active.”
- Seeking to meet the 2018 Corporate Plan objectives for “Providing homes for those in most need.”
- Seeking to meet the 2018 Corporate Plan objectives for “Providing infrastructure to support the economy.”

6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 There is no reference to these matters in the changes proposed.

7 EQUALITY IMPACT ASSESSMENT

7.1 Where appropriate the Council must have regard to its duties under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 There are no direct implications arising from the proposals.

8. LEGAL IMPLICATIONS

8.1 These are dealt with in the Report.

9. FINANCIAL IMPLICATIONS

9.1 There are no direct financial implications resulting from this report.

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COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 9 January 2019

ITEM NO. 9

Ward: Abbey

App No.: 171808/FUL

Address: Central Jamme Mosque, 18/18a Waylen Street, Reading

Proposal: Retrospective planning application for the demolition of a pre-existing extension and the construction of a two storey rear extension, and the erection of a boundary wall adjacent to the highway (amended description).

Applicant: Bangladesh Association of Greater Reading (charity number 1039747).

Date received: 6 December 2017

Minor Application PPA decision date: 4 July 2018 (ie. expired)

RECOMMENDATION

GRANT planning permission with conditions as set out in the attached report.

Deletion of condition 6:

6. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the premises shall be used as a D1 Mosque offering space for a combination of worship, training, education and meetings activities for a maximum of 300 people only and for no other purpose (including any other purpose in the same Use Class of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.

Control under the planning permission to be for a maximum of 110 persons at any one time. Mechanism for this control to be set out in the Update Report.

Additional condition: provision of cycle parking (to be advised).

1. BACKGROUND AND UPDATE

1.1 As can be seen from the main Agenda report to your 27 June 2018 meeting, officers were on balance prepared to recommend the granting of permission, subject to the applicant having responded to a number of outstanding matters by the time of the committee meeting. However, progress was not made and the update report latterly recommended deferral of consideration of the application. The previous reports are appended to this report for information.

1.2 At the meeting, members agreed with the recommendation for deferral, but also requested a member site visit. This subsequently took place on 12 July. On 19 July a meeting was set up with the applicant, the Fire Authority, RBC Building Control and RBC Planning and Transport officers, in an effort to set out the strategy for dealing with the outstanding matters. It was agreed at that meeting that - exceptionally - a capacity level for the building as a whole should be set which held for planning disturbance purposes, traffic control issues and fire safety

and that the same limit should as far as possible be used for all disciplines. This report now discusses the progressed reached since June/July on these matters.

2. TRAFFIC AND PARKING

- 2.1 Whilst the site is in an accessible location, the mosque is a major travel attractor, sited within a dense residential area. The mosque, as extended, is currently accommodating in the region of 300+ persons per peak service and these frequently occur in the daytime.
- 2.2 The major reason for the deferral of the application was that it was unclear to the Highway Authority how much more intensive this retrospective use was over the previous (Elim Church) use and how the applicant was proposing to manage the use, so as to encourage sustainable journeys to the site. As agreed at the July officer meeting, travel survey information has been submitted, but this was not received until November.
- 2.3 Furthermore, the Transport Development Control Manager has independently surveyed the church and surrounding parking areas now on two occasions: on a Friday lunchtime (14/12/18) and the following Monday lunchtime (17/12/18). It was noted that the vast majority of the Controlled Parking Zones (CPZs) in the Waylen Street/Baker Street, Trinity Place area were fully in use with only six parking spaces available on the Friday and none available on the Monday. These CPZs are for residents, but allow some short-stay parking in the daytime.
- 2.4 It is however cautioned that now is not the best time of year to undertake any survey of this kind given that there will be people parking in these areas to undertake quick visits into town for Christmas shopping. However if we take this as a reference, the Highway Authority would not support any increase in the building's capacity given that there is currently insufficient capacity in the CPZs to accommodate the demand.
- 2.5 The applicant has resisted repeated requests for the actual or estimated historic capacity of the Elim Church, as officers do not have this information. Transport Strategy advises that given the observed on-street parking demand it is essential that this data is obtained so that impact can be fully assessed. The historic lapsed permission (from 2001) was not objected to by the Highway Authority at that time given that it was confirmed that the capacity was not being increased over the Elim Church (parking was also a concern for that application).
- 2.6 Without knowing a capacity, the Highway Authority is unable to determine what level of car parking would be required but the surveys that have been submitted by the applicant indicate that 38% of attendees come by car and they have requested a capacity for the mosque of 350 persons, which would equate to a need for 133 parking spaces. This is likely to be significantly in excess of the Council's parking standards but does identify that there will be a significant demand which is currently not proposed to be managed/met. Without this information being submitted, Transport Strategy advises that they would have no option but to strongly recommend refusal on the grounds of lack of information (failure to demonstrate that there would not be parking pressures and therefore harm to the purpose of the Council's parking and sustainable transport policies and objectives).

- 2.7 Officers have discussed the situation with the Transport Development Control Manager and warned the applicant that the pursuit of a capacity of 300+ persons in this building was not going to be supportable in planning terms. However, officers have now received confirmation from the applicant that the building would be limited to no more than 110 persons at any one time. The Highway Authority accepts that this level is likely to be much more akin to the previous situation which existed at the Elim Church (the pre-2001 situation) and on the basis of achieving suitable control to maintain such a level, is content to withdraw their objection.
- 2.8 Condition 10 of the attached report advises that a travel plan shall be submitted and this is considered to be an on-going necessary requirement. The details of this will also need to be discussed further with other officers including Transport Strategy and a fuller explanation of this will be set out in the Update Report. The travel plan is required to promote alternative modes of travel, reducing the number of vehicle movements travelling to the site where there is limited parking availability.
- 2.9 The limited space on site and in particular the front yard area, which is a congregating/fire escape area, means that there is limited opportunity for cycle parking in this instance. However, with no-on-site car parking, encouraging alternative transport modes is important. This matter will need to be considered further and the Update Report will set out what is considered appropriate.
- 2.10 Subject to detailed discussions on control mechanisms, officers are now content to advise that the proposal, at a maximum of 110 person capacity and with a travel plan, is in principle compliant with the Council's transport policies.

3. PLANNING POLICY UPDATE

- 3.1 Members will be aware that since this application was originally reported, some planning policy changes have taken place.
- 3.2 The Revised NPPF was issued on 24 July 2018 but officers do not advise of any changes in policy direction or emphasis pertinent to this application. The Local Plan has since progressed through the local plan inquiry (September-October 2018). Some weight is able to be applied to these policies, but these are not anticipated to be adopted until 2019. Officers advise that the principal policies and themes pertinent to the consideration of this application (impact on the historic environment; impact on neighbour amenity; impact of traffic generation) are largely proposed to reflect/roll forward the current adopted policies of the Development Plan.

4. FIRE SAFETY

- 4.1 At the member site visit on 12 July, members were clearly concerned about the current fire safety situation in the building and the building is being regularly used by some 300 or more people in the absence of a Fire Safety Strategy agreed by the Fire Authority. Whilst the Committee is aware that fire safety issues are not usually a material planning consideration, officers advise that in the particular circumstances of this use, it would make sense for all forms of control to refer to the same number of persons.

4.2 In short and despite attempts by the applicant to get the Fire Authority/RBC Building Control to be supportive of a capacity of 370 persons, to date, some five months on from the officer meeting, the maximum number of persons that appears to be able to be safely accommodated, given the constraints of the building, appears to be only 110 persons. At the time of writing, however, even this level has not been confirmed as suitable/safe by the Fire Authority or Building Control, however, it would seem that this capacity could be achieved within the existing confines/layout of the building. This has so far been compromised by a number of factors including the width of the side passageway; the swing of doors; the construction of stairs; and the layout of the existing main hallways in the frontal building. If further responses are received on this matter from the Fire Authority or Building Control, you will be advised, but officers consider that in planning terms at least, 110 persons is likely to be a reasonable estimation of the capacity of the former Elim Church and can be accepted on this basis as a control for this retrospective proposal. Such a capacity would also seem to allow suitable noise/disturbance and parking issues.

5. EQUALITIES AND DISABLED ACCESS ISSUES

5.1 Paragraphs 6.31 and 6.32 of the attached report discuss these issues. For clarity, where paragraph 6.31 mentions 'gender', this should more accurately refer to 'sex'. Paragraph 6.32 notes that the mezzanine level may only be being used for women only and this may raise disabled access issues. Particularly given the reduced capacity now agreed, the applicant has been asked to confirm their policy on the use of the building for women and disabled people.

6. CONCLUSION

6.1 A number of months have elapsed since this application was originally reported to your meeting. Members will also recall that the requirements of the Enforcement Notice (re-instatement of the front boundary wall and demolition of the extension) comes into effect on 4 March 2019, so time is running out. Whilst there has still been no formal confirmation of a safe fire level for the building, officers have had to decide whether this retrospective application should be refused, or whether officers seek to approve a capacity level which would appear to be acceptable, in the absence of any other information. This is not an ideal situation, but with the alternative being the refusal of permission and with no fall-back position for the applicant to avoid the likelihood of demolition of the extension, officers recommend that on balance, this is a reasonable and proportionate response and recommend that subject to confirmation on the detailed mechanisms/condition for control of the capacity and cycle parking, planning permission should be granted.

Case officer: Richard Eatough

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO.

PLANNING APPLICATIONS COMMITTEE: 27 June 2018

Ward: Abbey**App No.:** 171808/FUL**Address:** Central Jamme Mosque, 18/18a Waylen Street, Reading**Proposal:** Retrospective planning application for the demolition of a pre-existing extension and the construction of a two storey rear extension, and the erection of a boundary wall adjacent to the highway (amended description).**Applicant:** Bangladesh Association of Greater Reading (charity number 1039747).**Date received:** 6 December 2017**Minor Application PPA decision date:** 4 July 2018**RECOMMENDATION:** GRANT retrospective planning permission.Conditions to include:

1. AP1 Approved plans.
2. No later than three months from the date of this planning permission, details of the measures to block up of windows and substitution of glazed doors for solid doors, as shown on the approved plans in Condition 1, shall have been submitted to the Local Planning Authority. The details for the windows shall include all materials and plans and sections of not less than 1:20 scale showing how the works will be carried out. The details for the doors will show full specifications of the doors to be used. The above works shall be undertaken in full not later than three months following written approval of the details by the Local Planning Authority. The development shall be retained in accordance with the approved details thereafter.
Reason: to ensure that the unauthorised development is regularised in terms of the harm caused to privacy/overlooking of neighbouring properties, in accordance with Policy DM4.
3. No later than three months from the date of this planning permission, detailed scaled elevations and plans shall have been submitted to the Local Planning Authority, which shall show a the reinstatement of the front boundary wall which has been demolished. These details shall be based on the wall as shown in the approved plans approved by Condition 1 above. Following approval, the wall shall be completed no later than three months following approval of the approval of the details.
Reason: to provide a suitable means of enclosure, in the interests of the streetscene and the Conservation Area, in accordance with policies CS7 and CS33.
4. No later than three months from the date of this planning permission, a scheme for hard and soft landscaping scheme for the area enclosed to the front of the site, shall have been submitted to the Local Planning Authority. The scheme should include hard landscaping details and full details of cycle parking and bin storage provision. The approved landscaping works as described above shall be carried out in full compliance with the approved scheme no later than three months following

approval of the approval of the details and the development retained with such facilities thereafter.

Reason: to ensure that the unauthorised development is regularised in terms of the harm caused to the streetscene and to ensure that a suitable level of cycle parking and servicing is provided in accordance with policies CS7, CS24 and CS33.

5. No later than four weeks from the date of this planning permission, the extract/ventilation systems shall have been installed in accordance with the approved plans and specifications and thereafter the extract/ventilation systems shall be permanently retained and maintained in accordance with the approved specifications. Thereafter, the specific sound level of the plant/equipment hereby approved, $LA_{eqr,Tr}$ as measured at a point 1 metre external to sensitive facades, shall be at least 10dB below the existing background sound level, $LA_{90,T}$ when all plant/equipment (or any part of it) is in operation. The noise rating level of the plant/equipment hereby approved, $LA_{eqr,Tr}$ (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre external to sensitive facades, shall not exceed the existing background sound level, $LA_{90,T}$ when all plant/equipment (or any part of it) is in operation.

Reason: To safeguard the amenities of the adjoining premises and the area generally, in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM4 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

6. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the premises shall be used as a D1 Mosque offering space for a combination of worship, training, education and meetings activities for a maximum of 300 people only and for no other purpose (including any other purpose in the same Use Class of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.
7. Basement ablutions area to remain ancillary only.
8. No amplified music at the premises at any time.
9. All openings (windows, doors) shut during services.
10. Submission of a travel plan.

Informatives

- The provisions of the extant Enforcement Notice continue to apply.
- Separate approval under the Building Regulations and Fire Safety Regulations is required.
- Terms and conditions
- Conditions precedent
- Positive and proactive requirement
- No parking permits to be issued

1. INTRODUCTION

- 1.1 The application site consists of Nos. 18/18a Waylen Street, just to the west of central Reading. It is situated within a street of predominantly large terraced Victorian residential properties and within the Russell Street/Castle Hill Conservation Area.
- 2.2 The site is long and narrow and generally flat. It accommodates a frontal building which has two distinct elements and was formerly the Elim Family Church and a house. Little is known about the history of the buildings and there is no detailed information on this site in the relevant Conservation Area Appraisal. But the right-hand side (northerly) building probably started off as a handsome 1840s-1860s Italianate style villa in its own relatively generous garden. It has some nice decorative features, including exposed rafters at the eaves, coloured string courses, stone window surrounds and arched windows. The building that then abuts it, 18a, appears (according to historic maps) to have been added at roughly the same time as the rear church hall, so given the style and the fact that it would appear to be of cavity wall construction, somewhere between 1930-1950.
- 2.3 The site has been the home of the Central Jamme Mosque (also known as the Central Jamme Masjid) for around the last 20 years. The application site area measures some 400 sq.m in area.



2. PROPOSAL

- 2.1 The planning application primarily seeks to retain a large, two storey extension which replaced an earlier extension. The application also includes other related works which consist of filling in and adjusting various openings on both flank ground floor elevations of the extension and the rebuilding of a front boundary wall, which

may have been removed in order to facilitate the building works which have taken place.

2.2 The development currently on site does not benefit from a valid planning permission. Your officers have been encouraging the applicant/owner to submit a planning application to attempt to regularise the planning situation for a number of years. An Enforcement Notice was eventually served on the owners in May 2017. This application was submitted in response to that Notice.

2.3 This application is being referred to your meeting for a number of reasons.

- There has recently been an Enforcement appeal decision and this is a large structure which the appeal Inspector considers is not acceptable;
- it is a non-residential assembly and leisure use in a residential conservation area; and
- a similar proposal in 2001 was also reported to the Planning Applications Committee and at that time, the Committee granted the planning permission.

2.4 Religious buildings are not chargeable for the Community Infrastructure Levy (CIL) under the Council's adopted CIL Charging Schedule.

2.5 Supporting documents submitted with the application include:

- Planning and Design and Access Statement
- Heritage Statement
- Acoustic report
- BREEAM Pre-estimator

3. PLANNING HISTORY

3.1 Relevant planning history is as follows:

00/01355/FUL (later planning reference: 990726)	First floor rear extension and internal alterations to existing Mosque and part change of use of four bedroom house to offices	PERMISSION 7/3/2001. LAPSED.
140288/PREAPP	Pre-application advice for proposed amendments.	Advice supplied 30/4/2014.
170154/CLE	1st Floor rear extension and internal alterations to existing Mosque.	CERTIFICATE REFUSED 13/4/2017
E0345/C/17/3178555	Enforcement Notice served 12/5/2017. Enforcement appeal received, concerning: Without planning permission, the erection of a two storey rear extension and removal of a boundary wall.	APPEAL DISMISSED 4/4/2018, planning permission refused, Enforcement Notice upheld, subject to minor variation concerning compliance period.

4. CONSULTATIONS

(i) Statutory:

None.

(ii) Non-statutory:

RBC Transport Strategy has raised the following concerns:

- Clarification is required as to how the increase in floor space has affected congregation numbers.
- Proposed mode of transport split would be required as to how attendees travel to the Mosque. This could be achieved by undertaking surveys from the existing attendees.
- It would appear that the demolition of the boundary wall has caused damage to the public highway. *Officer comment: this matter has been passed to RBC Environment and Neighbourhood Services to assess separately.*
- The Mosque is situated in a CPZ area, there are shared user bays directly outside the mosque; surveys of shared user bays is required to ascertain use of bays during hours the mosque is at its busiest i.e. Friday prayer times.

RBC Environmental Protection has raised issues with noise from the congregation and the plant noise and has proposed detailed condition wording. Full discussion is provided in the Appraisal below.

RBC Building Control advises that there is no Building Regulations approval for the works which have been undertaken, although a Building Regulations application was submitted in 2012 and is still a live application. Building Control's principal concerns are means of escape in the event of a fire.

Berkshire Archaeology advises that there are no archaeological issues with the application. Given the scale of the extension and the previous impacts on site, Berkshire Archaeology would not have recommended that any archaeological investigations would have been required prior to construction.

Public consultation

Letters were sent to the following addresses in Waylen Street in December 2017: 16, 19 (Flats 1-4), 20, 23, 25. No letters received.

5. RELEVANT POLICY AND GUIDANCE

5.1 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'.

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

National Planning Policy Guidance

National Planning Policy Framework (NPPF)

The Reading Borough Local Development Framework: Core Strategy (2008, as amended, 2015)

CS1 Sustainable Construction and Design

CS3 Social Inclusion and Diversity

CS4 Accessibility and the Intensity of Development

CS5 Inclusive Access

CS7 Design and the Public Realm
CS17 Protecting the Existing Housing Stock
CS20 Implementation of the Reading Transport Strategy
CS22 Transport Assessments
CS23 Sustainable Travel and Travel Plans
CS24 Car/Cycle Parking
CS31 Additional and Existing Community Facilities
CS33 Protection and Enhancement of the Historic Environment
CS34 Pollution and Water Resources

The Reading Borough Local Development Framework: Sites and Detailed Policies Document (2012, as amended, 2015)

SD1 Presumption in Favour of Sustainable Development
DM4 Safeguarding Amenity
DM12 Access, Traffic and highway-Related Matters
DM19 Air Quality

Supplementary Planning Documents

Revised Parking Standards and Design (2011)
Sustainable Design and Construction (2011)

Other documents: Russell Street/Castle Hill Conservation Area Appraisal (2004)

6. APPRAISAL

6.1 The main issues are:

- a) Principle of the use
- b) Noise and disturbance
- c) Rear extension: design and impact on neighbours
- d) Loss of the wall and impact on the Conservation Area
- e) Transport
- f) Equalities and disabled access issues

a) Principle of the use

6.2 The former Elim Church hall, which was to the rear of the site and then included the front (left) building in an L-shape, appears to be present on old maps going back as far as WWII, therefore the principle of a D1 Place of Worship use on this site is accepted as being established. The hall to the Elim church, which was known to have been single storey with a vaulted ceiling and pitched roof and which covered the majority of the rear of the site, is likely to have been in the region of 200 square metres in size and therefore capable of potentially accommodating a large number of people, for which there were no planning restrictions. Therefore, although essentially a non-conforming use in a residential area, it is accepted that this has been a long-established situation.

6.3 At this point it is worth noting that the Planning Applications Committee approved a similar proposal (against an officer recommendation to refuse permission) to that which is now under consideration, in 2001. However, as indicated in the Planning

History section above, that permission was not implemented and lapsed. The appeal Inspector considered that the appeal should be considered on its own merit, leading officers to advise that no weight should be given to the earlier permission. However, references will be made to that permission where relevant and the differences between the two schemes will feature in this assessment as a comparison.

- 6.4 At the time of the original planning application's consideration in 2000/1, the Committee Report indicates that the site then consisted of a house at the front of the site and church hall to the rear. The report agreed to the change of use of the house to become part of the mosque and retention of part of it as, almost, a self-contained flat on the first floor. The current plans (as built) show an office, bedroom and shower-room for the Imam and then a walk along a landing to the main kitchen/dining area of the mosque. Officers suspect that whilst these internal changes may have taken place, perhaps 10-15 years ago, this was not of itself an implementation of the 2001 planning permission. RBC Council Tax has advised that this building ceased to pay Council Tax in May 2000. Whilst the new layout would be technically contrary to Policy CS17 (which seeks to retain dwellings), officers consider that there would continue to be an ancillary residential function/presence associated with the mosque and the situation in practice is unlikely to be greatly different from that which was considered suitable in the 2001 permission and may of itself become immune from enforcement in any event. Officers therefore consider that in this case, although a separate residential unit is technically lost, a residential purpose is maintained.
- 6.5 It is also noted that the proposal involves improvements to an existing community facility and there is support for this in principle in policies CS31 and CS3 and for this in a generally sustainable location in terms of Policy CS4. On the basis of the above, officers advise that the principle of an extension of the mosque is acceptable, subject to the issues identified below.

b) Noise and disturbance

- 6.6 The application site is in a residential street near Central Reading. Waylen Street is a Victorian street which is characterised by narrow terraced townhouses of a variety of similar styles, typically 2 and 3 storeys. The application site is different, featuring a large villa with what appears to be a large 2½ storey side extension and the whole is then a detached structure, rather than being adjoined to other buildings. This is a dense, residential part of the Conservation Area and officers consider that the opportunity for disturbance from the use, if not suitably controlled, is potentially severe. Policy DM4 seeks to ensure that development will not cause a significant detrimental impact to the living environment of existing residential properties through, *inter alia*, noise and disturbance. As discussed above, the issues raised in this application need to be considered on their individual planning merits.
- 6.7 The current situation on site is that the large rear extension is considered to be 'substantially complete' although there are multiple areas where concluding and - as this report will go on to explain - remedial works are necessary. Although it is noted that the current extension does not have a planning permission or thus no planning controls on its use, there are no recorded complaints to Planning Enforcement over the use of the site/extension. This is likely due to the fact that whilst there will at times be large numbers in the congregations, the prayer services are quiet and often, largely silent. However, the size of the

congregations, the fact that a PA system is used and that a central air conditioning system is being installed and may (or may not) already be operational; are all areas to consider for control via conditions.

- 6.8 The application includes a noise survey report which assessed the PA noise, break-out noise and noise from the air conditioning plant equipment. This concluded that in all cases, the use of the mosque, as extended did not give rise to amenity concerns. The Council's Environmental Protection (EP) Team advises that the noise assessment has been carried out satisfactorily. Their only recommendation is to ensure that the air conditioning plant is supplied with the necessary acoustic enclosure, as advised in the report, in order to protect the amenity to the nearest noise-sensitive receptor (in this case, the nearest habitable room window at No. 16 Waylen Street). This condition is set out in full in the Recommendation. However, your officers consider that further conditions are required.
- 6.9 Given the wide range of uses which can be covered by the D1 Use Class and various combinations of disturbance, traffic, etc. which such uses can create, whenever granting new planning permissions involving D1, the LPA will normally seek to restrict the use to that which is being applied for. Whilst the D1 use itself is lawful, Members may recall the principle established in the *Harbidge case*, that where the local planning authority is faced with an unauthorised use to which it does not in itself take exception but is aware that a change could take place in its operation it must take enforcement action or seek to suitably control it. Otherwise, if there has been no application for planning permission, there is the risk of uncontrolled, undesirable change. This supports your officers' position that whilst there is no in principle concern for the presence of an extension for mosque purposes, this cannot take place in a completely uncontrolled fashion. Therefore a condition is recommended that this be a D1 mosque only. Officers have also considered the need for a capacity restriction. The Council's Building Control section advises that given the floorspace now provided, some 700 persons could be present on site at any one time. The applicant at the time of the enforcement appeal stated that it was unlikely than more than 300 persons could use the accommodation. In the absence of any other information (for example a fire limit on the premises), officers advise that a capacity of 300 could be covered by the condition which seeks to control the D1 use. This is considered to be a reasonable approach, given the residential area, the instances of disturbance which could be caused through the operation of the mosque itself and any related comings and goings and the increase in floorspace over the previous situation with the Elim Church hall.
- 6.10 Consideration has also been given to the ancillary uses of these premises. Mosques, like many religious buildings or assembly and leisure-type uses, come in various shapes and sizes and their associated functions vary. It is notable that this mosque has been operating for some time now (possibly 20 years) in the community and with relatively few issues of disturbance during that time. This is likely to be because there is no amplified music and the mosque is quiet, with an extensive library, so this is a place which tends to be for serene prayer, rather than loud religious services. Such services occur at all hours and more so during Ramadan (16 May - 14 June this year) and officers have checked with the EP team as to whether any complaints have been received recently and there have been none. At the time of writing, officers are not suggesting the need for an hours of use condition on the site, given that the site has an established use for D1 at all hours and no disturbance appears to have been recorded.

6.11 Attendant issues of sound attenuation, control, air-conditioning etc. need to be properly and comprehensively controlled and given the potential for noise and disturbance arising from the use in the future officers recommend conditions that any other uses, including the basement ablutions area, remain ancillary; and there should be no amplified music or external speakers. Also, the noise report has considered amplified speech. Clearly, if any windows or doors are open, this will be detrimental to neighbours. Therefore Officers suggest a condition requiring that these remain shut during all services.

6.12 With the range of noise-related conditions discussed above, adopted planning policies (CS34, Pollution and Water Resources, DM4, Safeguarding Amenity and DM12, Access, Traffic and Highway-Related Matters) are considered to be complied with.

c) Rear extension: design and impact on neighbours

6.13 The rear extension which has been constructed is unauthorised. In your officers' opinion, the applicant/owner oversaw the construction of this structure and was fully aware of the differences between what was constructed and the 2001 planning permission. There are significant variations in what has been built and the planning permission 00/01355/FUL, i.e. the new floor plans are significantly shorter, the roof shape is higher and angles are different and this affects long lengths of roof, and openings on both flank elevations are very different.

6.14 The applicant's submitted DAS is relatively poor and is essentially a re-working of points made in their statement for the enforcement appeal, so as a consequence it is not comprehensive. The statement and conclusions made in the Inspector's appeal decision letter are important material considerations to be taken into account in the determination of this application for retrospective planning permission. Importantly, the Inspector states that the two storey rear extension which is on site presents a 'new chapter' in the planning history of the site and must thus be assessed on its individual planning merits. The Inspector remarks that '...with regard to outlook, I consider that the extension is excessively large'. He found that it is disproportionate and out of scale with the site's rear curtilage and the height and massing close to the boundaries with Nos. 16 and 20 results in an intrusive and noticeably dominating presence which adversely and unacceptably affects the outlooks of both properties, causing them significant harm. He did not seek to reduce it in size, he decided that it should be removed, as the extant Notice requires.

6.15 However, at this point, it is worth noting why the Notice asked for the wholesale removal of the extension. In short, it is because that was the only option open to your officers. The use could not be stopped, it is established. The Notice could not have asked for the extension to have been reduced back down to some agreed reference point, because there was none. Therefore the Notice concentrated on seeking the removal of the extension and the reinstatement of the front wall (discussion below) and was upheld. With the appeal now having been dismissed, it is up to the Local Planning Authority to look afresh at the development and decide whether this planning application - which was on-going at the time of the Inspector's decision - is now capable of approval. There are two main issues to consider in design terms: whether the design and its impact on the Conservation Area is suitable; and the impact on neighbouring properties.

Design and impact on the Conservation Area

- 6.16 The design consists of a large rearward extension to the frontal buildings and is made up of a wide and long single-storey prayer hall, covering the majority of the site, with a first floor set in from the flank elevations. This is achieved with lean-to roofs on the sides and a simple pitch roof of similar angles at the ridge. The first floor is a smaller galleried/mezzanine space providing a smaller prayer hall, reached by internal staircases from the front and rear. The extension is similar in appearance to that approved in 2001. As can be seen from the photo below, immediate impacts on Waylen Street are extremely limited, given the narrow views possible and the fact that the first floor bulk is set in, behind the frontal buildings. Whilst views from within conservation areas are also important, in this case, the main public view from the rear is a private car park, accessed off Russell Street and the photo below shows this. The stepped gable-end wall is presented immediately on the boundary with the car park, but this was also the intention of the 2001 permission. (The word 'intention' is used because the approved plans in that planning permission included significant errors, as the length of that extension was in fact some five metres longer than the site itself and therefore not capable of construction within the application site in any event).
- 6.17 The design is in a sympathetic style, with brick and slate roofs and reconstituted stone window surrounds in arches and decorative brick details. This is a generally pleasant blend of materials which reflect the majority of the conservation area, whilst signalling the purpose of the building as a mosque. Windows would be adjusted on the flank elevations so as to block them up in a sympathetic style.

Impact on neighbouring properties

- 6.18 The coloured-up section plan (not to scale) at the end of this report attempts to show how the various designs relate to each other. In the background is the Elim Church Hall. In green is the bulk approved in 2001 and in blue is the bulk as built. Officers are aware that the original Elim Church Hall had side-facing windows at close proximity to the neighbouring properties. Some of these may have been obscure glazed. However, the size of the openings in the unauthorised extension, particularly given the ground level change to No. 16, produces an overbearing and overlooking presence, of much greater intensity. The retrospective application initially applied to retain these openings 'as built' but given the appeal decision, these are now proposed to be infilled.
- 6.19 There is a slightly elevated floor level at No. 18 over No. 16 and there is a habitable side/rear room in No. 16 (a dining room) with a side-facing bay window and a large patio this side. In the appeal, the Local Planning Authority's statement offered that in order to be acceptable, the structure either needed to be adjusted (by removing the offending openings) or else be completely removed. The Inspector took the latter, more severe route. Officers have consistently sought to regularise the situation and have not intentionally sought the wholesale removal of the extension and this was the advice given in the pre-application response in 2014, when the extension by that point was erected and weathertight.
- 6.20 It is difficult to accurately present to the Committee the difference in massing between the 2001 permission and what has been built, due to the original plans not being scalable, but officers estimate that the variance in dimensions appears to be under a metre (save for the overall length of the structure, which as discussed above, is significantly shorter such that it now fits on the site). The structure is indeed bulky when viewed from the properties either side, but not dissimilar in

shape and form/massing to the 2001 permission. Officers' primary concern has been for the impact of the side windows.

- 6.21 On the South elevation (towards the garden of No. 20) high-level arched windows are currently situated on the boundary. The applicant's original contention was that the former Elim Church Hall presented itself to this neighbour in a similar manner. However, this is not an acceptable situation in terms of overlooking/presence to a residential garden and at officers' suggestion, the plans now show these high-level arched windows to be carefully bricked up, with a half-brick 'reveal', to provide some relief to this elevation. In terms of the massing, the building runs for 15 metres (the length of the garden) at single storey only - some 3 metres in height - and then the lean-to roof to the first floor gallery and then up to the ridge. There are no side-facing windows in the first floor, but the gallery level is served by four large rooflights facing south, although the roof angle means that these are not particularly noticeable. The extension is to the north of No. 20's garden, so there is no overshadowing concern, although it is accepted that there will be a degree of overbearing.
- 6.22 On the north elevation towards No. 16, the development currently has a number of openings and officers have advised that given the change in ground levels and the slight lay-off to that boundary (about a metre), actual and perceived overlooking to this property is unacceptable and the appeal Inspector agreed. Regarding light levels to No. 16, officers have assessed the light angles with specific reference to the side-facing bay window, which faces south. It appears that the extension as constructed obstructs the light angle from the window-pane of the bay window at around 40 degrees. The Inspector has attached significant harm to this. It is therefore accepted that in terms of location, height and massing of the development, it is visually dominant and overbearing on this property.
- 6.23 Officers consider that there are various matters to consider against this position. Firstly, is the fact that there is a separation distance to No. 16 and this is unusual in this street. Secondly, the bay window is to the side and this is not common. Presumably this was built around the same time as the original No. 18, so at that point, it would have enjoyed an outlook over No. 18's garden. However, the opportunity for doing so would already have been lost by at least WWII, by the time the original Elim Church Hall was constructed.
- 6.24 Officers also consider that the changes are not dissimilar to the situation which existed from the 1940s to approximately 2010 and the changes which have been made as deviations from the 2001 permission, whilst significant, are not considered so harmful as to warrant any draconian measures, such as seeking to reduce the bulk of what has been built; but it is up to the Committee to come to their own conclusions on this. Officers accept the sizeable bulk which has been created, but with the adjustments to remove lateral overlooking, officers are not advising, in this circumstance that any reduction in bulk should be required. As with the South elevation, there are no first floor windows, save for four further rooflights, which afford no overlooking.

d) Loss of the wall and impact on the Conservation Area

- 6.25 The most obvious concern in terms of the public realm and the Conservation area has been the complete removal of the front boundary wall. Planning permission should have been applied for to remove this wall, as it was over one metre in height adjacent to the Highway. As can be seen from the Google Streetview photo

below, the brick wall was a fairly plain but pleasant and sympathetic boundary treatment within the Conservation Area and such features generally make a positive contribution to streetscene, as in this case. The original building form was a grand house in the street, with its character slightly altered by the addition of 18a to its left; nevertheless, it should be framed by a suitable curtilage (physical boundary). It is accepted that the wall which was removed was non-original.

- 6.26 The Conservation Area Appraisal laments the loss of boundary treatments in this part of the Conservation Area and it is true that in various locations, such boundaries have unfortunately been lost. But as can be seen from the later Streetview photo below (September 2016), the loss of the wall is clearly harmful to the character of the street, through creation of a wide, open frontage, which is neither sympathetic to the character of the building or the streetscene. The building appears to be missing its enclosure (curtilage) to the street edge and this is uncharacteristic of the Conservation Area and the Inspector agreed that there was no convincing reasons for its removal which would outweigh the harm to the Conservation Area and conflict with Policy CS33.
- 6.27 In requiring a suitable replacement, the Enforcement Notice proposed that the boundary wall should be reinstated. Ideally, however, the wall should be a dwarf wall with railings, reflecting the character of No. 18, which was probably one of the grander houses in the street. Sadly, there are relatively few examples of walls and railings in Waylen Street. No. 37 has a very low dwarf wall and railings with Fleurs-de-lys spear-tops. This may have been the style of curtilage at the property. A couple of other properties also have dwarf walls but with simpler 'bow and spear' tops. Officers therefore advise that on the basis that the original style of curtilage is not clear, the proposed plans (as amended) which show a simple reinstatement of the brick wall, are supportable.
- 6.28 Given that the changes do not involve the front of the building itself and the extension has a minimal impact on the streetscene, there is no requirement to provide mitigating landscaping. However, the front courtyard area is small and during the works, a paving scheme has been constructed, to a generally satisfactory standard. However, the re-provision of the wall would be on an area where the applicant has inserted a linear French drain adjacent to the back of the pavement and this would need to be removed. Sustainable drainage to this area would then need to be re-provided. Accordingly a landscaping scheme condition is recommended, to adjust this area.



Streetview photo 2012



Streetview photo 2016

e) Transport

- 6.29 The site is in a sustainable location near the bus route (red route) on Oxford Road and within walking distance of the town centre. Uses such as this can have a wide draw, but the presence of the parking zone is likely to mean that most visitors will need to use the public car parks, such as Chatham Street. It is likely that visitors tend to access the mosque via public transport or by foot.
- 6.30 At the time of writing, the applicant has declined the Highway Authority's requests for further information, citing that they consider that there is no significant difference over the 2001 approval. However, it is material consideration that the 2001 approval has no weight, as confirmed by the appeal Inspector. Officers have no response to these thoughts from the Highway Authority at this time, but advise that subject to conditions for a travel plan and to provide cycle parking (there is currently none), the proposal is considered to be generally acceptable in transport terms and complies with Policy CS4.

f) Equalities and disabled access issues

- 6.31 As Members are aware, in determining this application, the Committee is required to have regard to its obligations under the Equality Act 2010. The key equality protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. The application raises concerns in terms both in terms of disability and gender discrimination. The issue is the first floor mezzanine/gallery level.
- 6.32 The 2001 permission required the inclusion of a lift to the mezzanine level, via a condition. Whilst at various points, the applicant/owner has claimed to be building in compliance with that planning permission, none of the necessary pre-commencement conditions were discharged, including the condition for a lift. Further, it appears that this level of the mosque may be for the use of women only. However, consultation with the Council's Policy Manager indicates that in instances where there is conflict between the workings of a religious organisation and the Equalities Act, the Act shall not take precedence. Nonetheless, the applicant has been asked to provide further clarification on how their policy on gender and disability matters is organised on the premises and this will be explained at your meeting, then officers will advise further. For the moment, however, officers have not identified a conflict with policies CS3 or CS5 or the Act.

Other matters

- 6.33 The construction quality of the extension appears to be generally reasonable, although inspections from RBC Building Control are on-going. The development does not therefore currently benefit from either Building Regulations approval or fire safety approval. Although these are not planning considerations, an informative reminding the owners of this is advised. Berkshire Archaeology's response is noted and nothing further is recommended.
- 6.34 The application has been submitted with a BREEAM Pre-estimator which proposes a low level to be achieved of 30%/'Pass'. This is a Minor level development, but officers consider that Part L of the Building Regulations must be achieved. A relevant condition is therefore recommended. This is considered to be a reasonable requirement and should not prove overly onerous, although it may involve retrofitting as necessary.

7. CONCLUSION

- 7.1 This planning application has been submitted as a result of the serving of a Planning Enforcement Notice. In its original form, the application was not considered to be acceptable and has since been adjusted following the decision to uphold the Notice.
- 7.2 The Inspector afforded no significance to the 2001 approval, but it is noted in the report above where relevant and Members will need to consider whether they wish to adopt a consistency of approach on the relevant matters, for instance, in considering matters of bulk and massing.
- 7.3 The serving of the Notice was, unfortunately, the last resort, officers having thoroughly exhausted all efforts at trying to reason with the owners and urging them to submit a retrospective application, which officers have continually advised that if the correct information is supplied, they would like to be able to support.

- 7.4 Officers are prepared, on balance and for the reasons above, to recommend the granting of retrospective planning permission, but with a range of carefully-worded planning conditions.
- 7.5 Were you to agree to grant permission, this becomes a situation where the planning conditions could be enforced in the normal manner, via a Breach of Condition Notice (BCN). Were you to refuse permission, the applicant could reapply and secure full compliance with any further approval and undertake such necessary works before the Enforcement Notice deadline of March 2019. Otherwise, the Notice takes Effect, which means that the Local Planning Authority would then be able to apply to the Courts for an Injunction to seek compliance with the Notice requiring that the extension be demolished in totality and the wall rebuilt.

Case Officer: Richard Eatough

Plans:

786/WA/SK - 100 B PROPOSED GROUND FLOOR PLAN IN CONTEXT

786/WA/PP - 100 BASEMENT GENERAL ARRANGEMENT PLAN (received 8/3/18)

786/WA/PP - 100 PROPOSED GROUND FLOOR PLAN AMENDMENTS (received x)

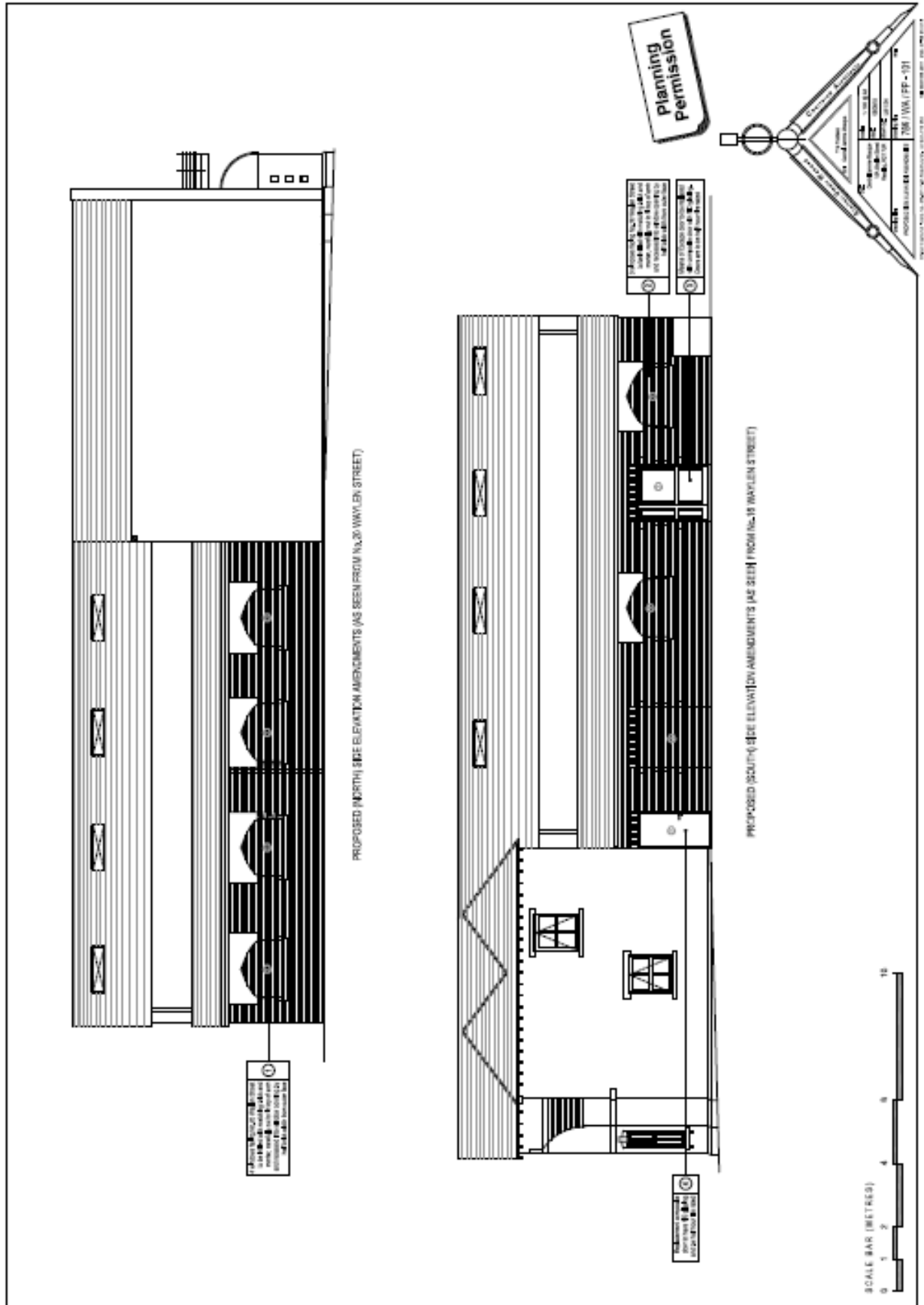
786/WA TI - 541 C WORKING DRAWING: PROPOSED 1ST FLR. PLAN FOR PHASE 3 (received x)

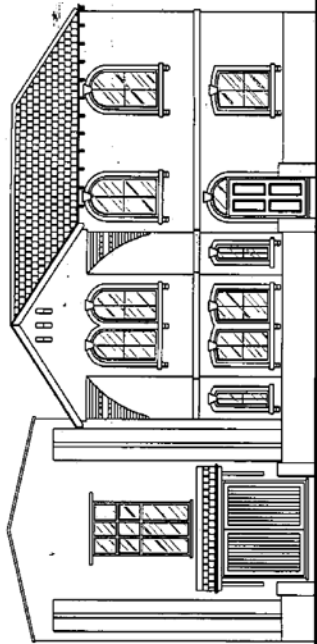
786/WA/TI - 543 C WORKING DRAWING: SECTION Y-Y FOR PHASE 3 [and Rear Elevation] (received 16/10/17)

786/WA/PP - 101 PROPOSED SIDE ELEVATION AMENDMENTS (received x)

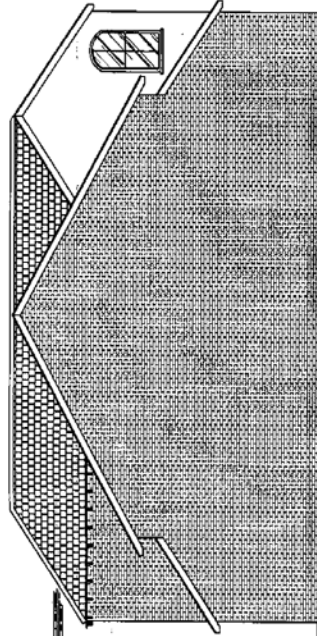


Site in current view from Waylen Street. Unauthorised extension is just visible in the red circle. Front boundary wall is missing.





FRONT ELEVATION (prop).



REAR ELEVATION (prop).

READING DISTRICT COUNCIL			
COUNCIL PLANNING			
DATE	BY	PH	
1 NOV 2000			
LS	HS	SS	

The KEEN Partnership
 Culham House, 122 Castle Street
 Reading, Berks RG1 7RU

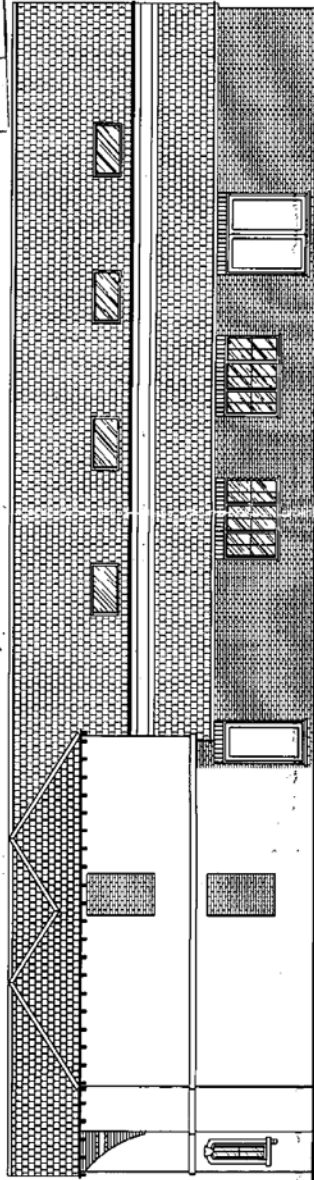
Drawn by
M. SAOOD ESQ.

Site Title
**Central Jamme Mosque,
 18A Wayfen Street,
 Reading.**

Proposed by
PROP. ELEVATIONS.

Scale
1/100.
 Date
July, 2000.
 Drawn by
P.J.M.
 Ref
7242-00-04.

Printed by
 P.M. 0118 9510855 Fax 0118 9510866
 E-mail: info@keempartnership.co.uk



SIDE ELEVATION (prop).

Comparison section plan (not to scale, officer estimates, for information):
 Black outline: original Elim Church hall
 Green outline: 2001 planning permission
 Blue outline: current planning application



UPDATE REPORT:

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES READING BOROUGH COUNCIL PLANNING APPLICATIONS COMMITTEE: 27 June 2018	ITEM NO. 8
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Ward: Abbey
App No.: 171808/FUL
Address: Central Jamme Mosque, 18/18a Waylen Street, Reading
Proposal: Retrospective planning application for the demolition of a pre-existing extension and the construction of a two storey rear extension, and the erection of a boundary wall adjacent to the highway (amended description)

RECOMMENDATION AMENDED TO:

DEFER for further information.

1. REASON FOR DEFERRAL

- 1.1 The Main Agenda report discusses various matters which were still outstanding and officers had hoped would be resolved by the time of your meeting. However, it has become clear that these matters have not been addressed to officers' satisfaction and in the circumstances, it is recommended that that Members defer this Item to allow officers to continue to work with the applicant and relevant consultees.

Case Officer: Richard Eatough

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 9 JANUARY 2018

ITEM NO. 10

Ward: Abbey

App No.s: 181566/FUL and 181567/LBC

Address: 3-5 King Street, Reading

Proposals: 181566/FUL: Proposed change of use for floors 2, 3 and 4 from A2 to B1 use. Various external works including the extension of floor plates and minor internal amendments to facilitate the refurbishment of the existing building to create ancillary storage at basement and class B1 (Business) use on 3 upper floors (amended description).

181567/LBC: External and internal works including the extension of floor plates at floors 2, 3 and 4 and minor internal amendments to facilitate the refurbishment of the existing building to create ancillary storage at basement and refurbishment for office use on 3 upper floors.

Applicant: Threshold Land and Estates Ltd.

Date received: 05 September 2018

Major Application: 13 week target decision date: EOT 11 January 2019

RECOMMENDATION:

181566/FUL:

GRANT planning permission.

Conditions:

1. TL1 - Time limit
2. Approved Plans
3. Use only as B1(a) offices and no other use (whether or not 'permitted development'/a 'permitted change')
4. C5 - Construction Method Statement
5. Noise assessment for mechanical plant: submission of details
6. Submission of waste collection arrangements and bin storage
7. Submission of strategy for suitable construction hours
8. Materials to be as proposed (masonry, window details).
9. Provision of staff changing rooms and showers and cycle storage
10. Provision and retention of all accessible facilities, including installation and retention of lift(s)

Informatives:

- Terms and conditions
- Conditions precedent (discharging of conditions)
- Separate advertisement consent (and LBC) may be required for any future signage
- Full Building Regulations application is required. Any additional means of escape may require further works. Applicant should check to see if further

- permission/consent is required as a result of Building Regulations requirements
- Positive & Proactive

181567/LBC:

GRANT Listed Building Consent.

Conditions:

1. Time limit
2. No removal of original features/building fabric
3. Materials to be as proposed (masonry, window details)
4. No cutting of any masonry unless details submitted and agreed

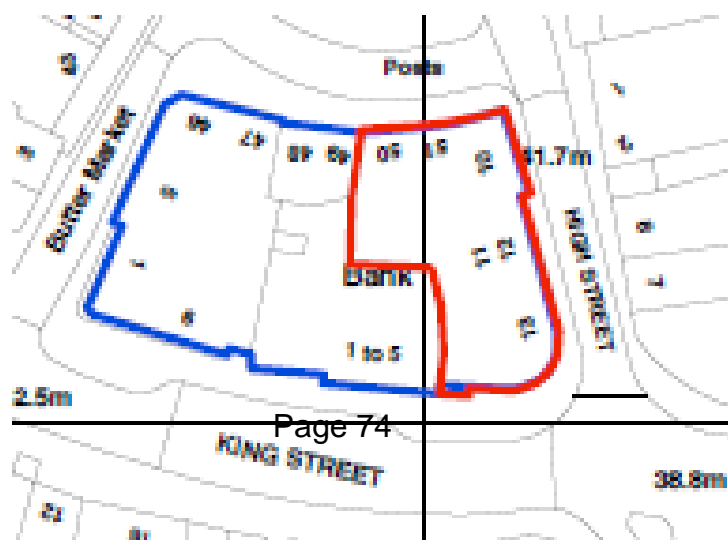
Informatives:

- Development Plan
- Terms and conditions
- Conditions precedent (discharging)

1. INTRODUCTION

1.1 The application site is situated on the northern side of King Street and has frontages to King Street (south), High Street (east) and the Market Place (to the north). The site comprises four buildings of varying age and construction type which form a single unit which operated as Barclays Bank until 2009. Three of the four buildings are Grade II Listed and these date from about 1800-1870: 3-5 King Street, 50-51 Market Place and 10 High Street. The fourth part is a 1970s element with a curved façade towards the King Street/High Street corner, which then continues along High Street. The application relates to 3-5 King Street. The site is prominently located within the Market Place/London Street Conservation Area, as it effectively has three frontages. The red line of the application site is not the same over all floors and shares some servicing and fire escape routes with the building(s) to the west, see attached plans. It is in the Central Core, Reading Central Area, AQMA zone and within an area of Archaeological potential.

1.2 The application site and adjoining commercial units towards Buttermarket form an 'island site'. The site is therefore accessed and has main entrances from King Street and Market Place. Market Place provides high quality sitting-out space with occasional event use, typically food markets.



2. PLANNING HISTORY

- 2.1 There is an extensive planning history for the wider site with 1-2 Kings Street gaining permission to be converted to form bank offices in 1951 and 3/5 Kings Street being referred to as the 'Barclays Bank Redevelopment' with alterations to provide office space and the remodelling of shops from 1976.

76/882	Construction of new 4 storey office building - the modern building with the curved wall which fronts onto King Street/High Street.	Approved 1977
091501	Change of use from Class A2 (Financial and Professional Services) to Class A3 (Restaurants and Cafes) on ground floor, ancillary storage at basement and Class B1 (Business) use on 3 upper floors.	Approved 2010 Permission with s106, not implemented
150051	Change of use at ground floor level from A2 (Financial and Professional Services) to A3 (Restaurants and Cafés) and demolition and insertion of shopfront to corner of High Street/King Street.	Permitted 2015
170636	Change of use of Ground and Basement floors to Restaurant (Class A3) and associated rooftop plant.	Permitted 2017

- 2.2 Therefore, as confirmed by the Council's Planning Solicitor, the existing use of the building within the application is A2 (Financial and Professional Services), as the office space above was related to the banking use of the premises. Subsequent planning and listed building permissions granted change of use of the ground and basement floors to Restaurant A3 use in 2017 for two operators, The Botanist and Honest Burger.

- 2.3 Pre application advice was sought in July 2018.

3. PROPOSAL

- 3.1 The upper floors (previously in use as ancillary banking offices for the Barclays bank) would be converted to separate B1 offices. These offices would be accessed from the two existing circulation areas, stair cores and lifts within the building: one towards the front on King Street (via an improved entrance doorway within the 1970s building) and the other from the rear on Market Place. There are two basement areas which would be linked to the ground floor use (west basement) and the upper office use (east basement).
- 3.2 The principal changes to the historic building (externally) would be minimal. These would be limited to the entrance lobby areas/entrances on the ground floor entrance areas onto Market Place and King Street and the basement area to the Market Place entrance area.
- 3.3 An extension is proposed for the second and third floor areas into the lightwell. This should have minimal detrimental impact on the Aquarium offices which are situated on the opposite side of the lightwell.

- 3.4 The proposal includes:
- An extension over the existing first floor Office pod in the central lightwell to extend the second floor, third floor and roof area to provide office space and roof deck in which to relocate new and replacement plant
 - Replacement of windows throughout the building with sympathetic double glazing;
 - To provide wheelchair access by internal restructuring to provide accessible lift provision.
- 3.5 The applications are for full planning permission and associated listed building consent (LBC) and seek refurbishment of the building. The applicant seeks to provide office space for start-ups or developing small organisations in a contemporary 'loft' space environment whilst retaining many of the historical features of the building. Future applications would therefore be required, as necessary for signage or any other alterations to the building. These applications have been submitted with accompanying DASs and heritage statements and are being reported to your meeting as a Major level of floorspace is involved.

4. CONSULTATIONS

- 4.1 The Council's **Transport Strategy** section does not object to the planning application. Cycle storage and changing facilities will be provided in the basement. The A2 and B1 uses are similar in terms of their travel intensity. Conditions for a CMS and cycle parking are recommended.
- 4.2 **Reading CIC UK** welcomes a B1 use. They are very much in favour of retaining small or start-up business office space in the town centre and would like to work with the applicant by being introduced to tenants or gain a commitment to support start-up events.
- 4.3 The Council's **Environmental Protection Team** considers that there are unlikely to be residents close enough to be affected by noise from an office use. However there may be sensitive receptors (residential, at distance) and offices (immediately above and immediately adjacent) who may be adversely affected by associated plant noise. In the circumstances, it is recommended that any plant noise associated with the proposed uses complies with the recommended criteria of no more than 0dB above the existing background level from the nearest sensitive receptor's façade. In terms of disturbance to nearest office/residential uses, suggest that a condition for hours of construction should be considered.
- 4.4 The following neighbouring properties were consulted by letter:

Broad Street: Hobgoblin Pub 2 Broad Street, 3, The View 4-5

King Street: 1-5 First floor, Second Floor, Third Floor, 6, Healthy Planet 3-5

King Street: 10-12: Richard Company 207 Ltd

King Street: 16, 17-18, 24, 25

The Aquarium: Unit 1, 2, 3, 4, 5, 6

King Street: Jackson's Corner 1-9

Kings Road: Flat 6 at 7 Kings Road, 9, 2, Flats 1-7 5 Kings Road, 11-13

Buttermarket: 2-3, 4, 5

Market Place: 1-2, 3, 4, Soane Point 6-8, 9-10, 42, 43, 46, 47

High Street: 7, 8, 8a

Duke St.: 2, Dukesbridge Chambers, Third Floor, Dukesbridge Chambers, 1 Legal & General Financial Services, Dukesbridge Chambers, Charles Stanley, Dukesbridge Chambers, Fourth floor

- 4.5 No letters of objection have been received at the time of writing, although any subsequently received will be reported to your meeting.

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 requirements of s66 and s71 of the Listed Buildings and Conservation Areas Act 1990 also apply.

- 5.2 The application has been assessed against the following policies:

5.3 National

National Planning Policy Framework - NPPF (2018)

2. Achieving sustainable development

6. Building a strong, competitive economy

Planning Policy Guidance - PPG (2014 onwards)

5.4 Reading Borough Local Development Framework Core Strategy (2008) (Altered 2015)

CS1 Sustainable Construction and Design

CS4 Accessibility and the Intensity of Development

CS5 Inclusive Access

CS7 Design and the Public Realm

CS9 Infrastructure, Services, Resources and Amenities

CS11 Use of Employment Land for Alternative Uses

CS20 (Implementation of The Reading Transport Strategy (Local Transport Plan 2006-2011))

CS23 Sustainable Travel and Travel Plans

CS24 Car/Cycle parking

CS33 Protection and Enhancement of the Historic Environment

CS34 Pollution and Water Resources

5.5 Reading Central Area Action Plan (2009)

RC5 Design in the Centre

RC6 Definition of the Centre

5.6 Sites and Detailed Policies Document (2012) (Altered 2015)

SD1: Presumption in favour of sustainable development

DM4: Safeguarding Amenity

DM12: Access, Traffic and Highway Related Matters

DM14: Impact of main town centre uses

5.7 Supplementary Planning Documents

SPD - Planning Obligations

SPD - Sustainable Design and Construction

SPD Employment, Skills and Training

SPD Parking Standards and Design

5.8 Other relevant documentation:

Historic England Good Practice Advice

Market Place/London Street Conservation Area Appraisal (2007)

New Local Plan (Draft Reading Borough Local Plan: There are no major proposed changes from adopted policy.

5. APPRAISAL

6.1 The main issues raised by this application are:

- a) Principle of the change of use
- b) Impacts on the fabric of the Listed Building
- c) Servicing and operation
- d) Access for all

a) Principle of the change of use

6.2 With reference to the Reading Central Area Action Plan, the site is located within the 'Central Core', 'Office Core' and 'Primary Shopping Area', as set out in Policy RC6 (Definition of the Centre). Supporting Para 8.10 sets out that the sequential approach will be applied to leisure and office uses to specify that they are located within the town centre. In terms of Core Strategy Policy CS10 (Location of Employment Development), B1 offices are very similar in nature to the present (last) use as A2 ancillary offices to the bank.

6.3 Although there has been a long intervening period and the ground floor is now no longer in A2 use, the Council's Planning Solicitor advises that the upper floors in the building retain an established A2 use. Given this, your officers advise that the proposed B1(a) offices use and the current (last) A2 use are quite similar and an office use of the upper floors is compliant with the above policies. Officers are aware of the support from Reading UK CIC for this proposal on the basis that the intentions of the occupiers are as small business or start-ups. Whilst this is noted, it is not considered to be capable of control via this application, although the applicant has indicated that they (voluntarily) wish to work with Reading UK CIC in this case.

6.4 On the basis that the change from A2 to B1(a) is not materially different, no end-user employment and skills plan (ESP) is considered to be required in this instance and no conflict with Policy CS11 is identified.

6.5 In summary, the B1 use, as applied for, is considered to be acceptable in terms of adopted planning policy and suitable to this central location.

b) **Impacts on the fabric of the Listed Building**

- 6.6 The proposal would result in the renovation and re-use of the upper floors of this Listed building which have remained vacant for about 10 years, previously used as A2 ancillary office space.
- 6.7 This is a key site in the Conservation Area and by virtue of the fact that the buildings are attached to each other, the entire application site is effectively "listed", including the 1970s part.
- 6.8 The part of the building which currently houses the Honest Burger restaurant and the floors above it is a 1970s modern extension which does incorporate elements of original historic fabric, most notably the elevations and entrances from the Market Place. However, much of the internal structure behind the historic facades has been re-built in concrete, including the insertion of modern concrete office floor plates.
- 6.9 The extensions to the floorplates at 2nd, 3rd floor level and roof level would all be located within the internal lightwell and therefore be screened from view from the surrounding public views. The extension would affect an existing late 1970s, red brick wall to the lightwell only.
- 6.10 There will be no external changes to the building that could harm its character. However, the proposals include the replacement of all windows over the Honest Burger unit. Over the older, historic building towards Market Place/High Street, these consist of 21 sash windows. Although these appear sympathetic in style, these are in fact modern (C.20th.) timber replacements, which although generally suitable in terms of appearance to the historic building, are of poor condition, and the Council's Conservation Consultant advises these can be replaced with suitable timber double-glazed units in this instance. A further 39 Aluminium windows over the 1970s element would be replaced by new aluminium versions, and subject to details, this is acceptable. A condition would secure full details of these items.
- 6.11 The applicant advises that in extending the floors and replacing the windows, no cutting of surrounding masonry (historic fabric) is envisaged, but a condition is recommended to require separate details to approve in the event of a need for the cutting of masonry, to protect the fabric of the listed building.
- 6.12 Subject to conditions as indicated above, it is considered acceptable in terms of Core Strategy Policy CS33 (Protection and Enhancement of the Historic Environment) and RCAAP Policy RC5.

c) **Servicing and operation**

- 6.13 It should be firstly borne in mind that there is an extant A2 use and the proposed use is similar in many respects, including servicing.
- 6.14 The site has access to existing shared refuse entrance/facilities, accessed from Market Place, however, the application form states that waste management will be via the existing waste area located in the adjoining building which forms part of the ownership. The adjacent Aquarium office building's waste is located in the

basement level and accessed via Market Place. A waste strategy and a servicing and delivery operations strategy will need to be provided and conditions should require these.

- 6.15 The site is in a central location and close to the bus stops on Market Place (east side) and bus stops on Kings Road (outside the 'Jacksons' building). No parking provision is offered for staff or visitors and this is considered to be appropriate in this case. Public cycle parking is located nearby at the end of Broad Street and in Town Hall Square. Cycle storage and changing facilities for staff of the proposed B1 office use will be provided in the basement as part of the proposed refurbishment. The three shower rooms proposed and the large basement will be suitable for providing facilities for both walking and cycling uses and facilities shall be required by condition, in order to be in accordance with Core Strategy policies CS20 (Implementation of The Reading Transport Strategy (Local Transport Plan 2006-2011)), CS23 (Sustainable Travel and Travel Plans) and CS24 (Car/Cycle Parking).
- 6.16 The Transport Strategy section has suggested that a construction method statement is required and given the numerous bus movements, traffic restrictions and other uses loading and unloading in this area, I would agree that this is required, to avoid undue disturbance to other uses in this relatively dense environment. The adjoining office users in the units to the west towards Buttermarket are considered to be the nearest sensitive uses likely to be affected from disturbance during construction.

d) Access for all

- 6.17 The existing building is not currently accessible due to the historic internal layout, which has been constructed in separate ad hoc stages. There are existing changes of levels within the building, most notably, a change of approximately half a floor between the entrances on Market Place and the main ground floor.
- 6.18 The installation of new lifts will provide disabled access to all levels including the basement. The entrance from King Street into the building is up four steps into the 1970s office entrance. This will mean that disabled persons' access will only be via Market Place. Whilst not an ideal solution, it would give the opportunity for disabled people to access the B1 offices on the upper floors. Internally, there are areas of the B1 use which would not be easily accessible to disabled people, although the majority of the floorspace would be and this is considered to be acceptable, given the constraints of the historic building. The renovation works will improve access within the building to create a disabled entrance from Market Place, shower room/changing area and disabled WCs. A condition such that all facilities as indicated within the B1 use shall be available to disabled people is recommended to meet the requirements of Core Strategy Policy CS5 (Inclusive Access).

Other issues

Sustainability

- 7.1 Although the Council's adopted SPD, Sustainable Design and Construction technically applies to this major application, the renovation does not involve significant works, the change of use is not substantially different from A2 ancillary use to B1(a) use

and the proposal is constrained by the existing structure of the Listed building There will be extremely limited opportunities for incorporating sustainability measures in this development, particularly as there is negligible building work. In this instance, it is likely that meeting the requirements of the present Building Regulations is sufficient and the development is considered to be compliant with Policy CS1 (Sustainable Construction and Design).

Affordable housing/ESP

7.2 The change of use from A2 to B1 is not considered to be a substantial change from its current use. As such in this instance, no financial contribution towards affordable housing or and ESP is considered to be necessary. The application complies with policy CS11: Use of Employment Land for Alternative Uses.

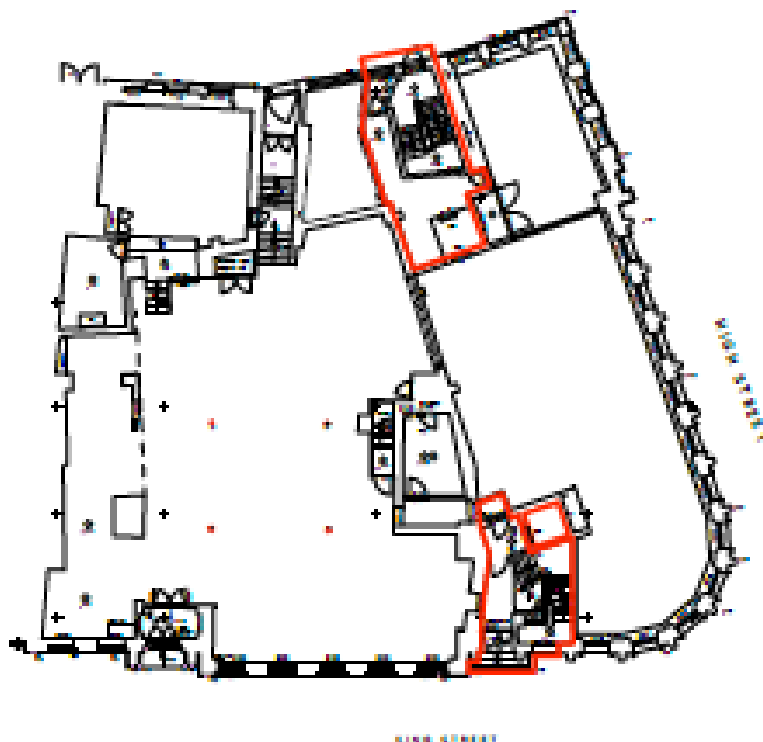
- CIL

7.3 The net increase in floorspace (floorplate extensions) is under the limit for a CIL contribution to be applicable.

8. CONCLUSION

8.1 The uses proposed are compatible with the functions of the town centre and are a suitable re-use for the upper floors of the listed building and would provide activity and vitality at this key central site. These applications are therefore recommended to you for approval.

Plans:
Ground floor



Market place proposed no change



40.00m AOD

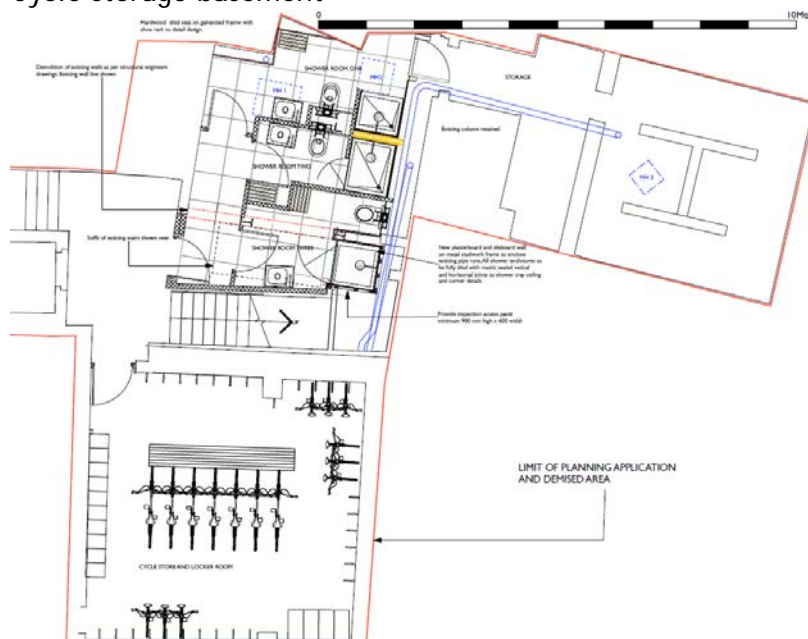
ELEVATION 1

High street proposed elevation



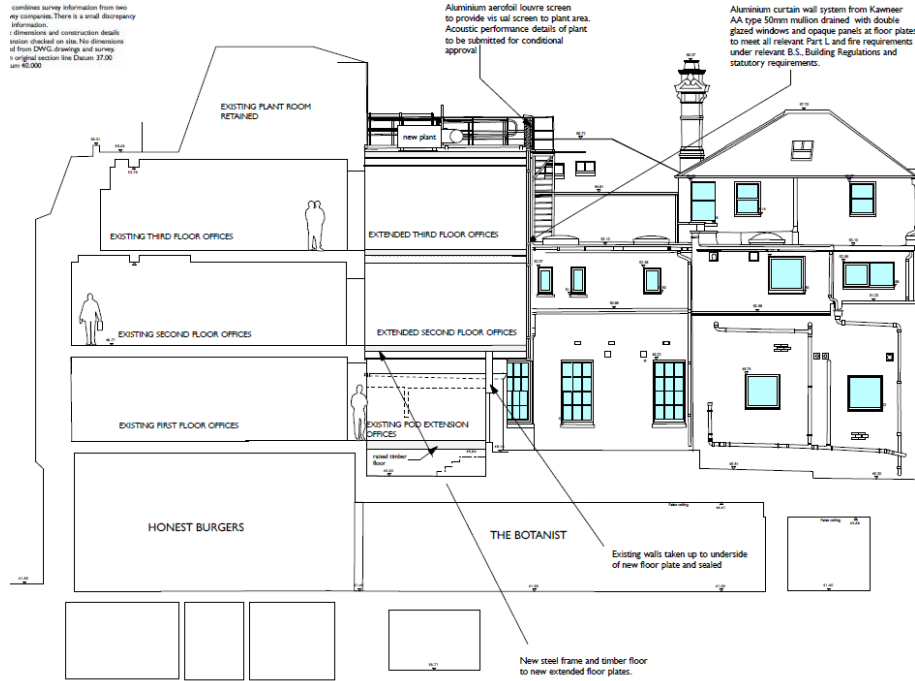
HIGH STREET ELEVATION

Cycle storage basement

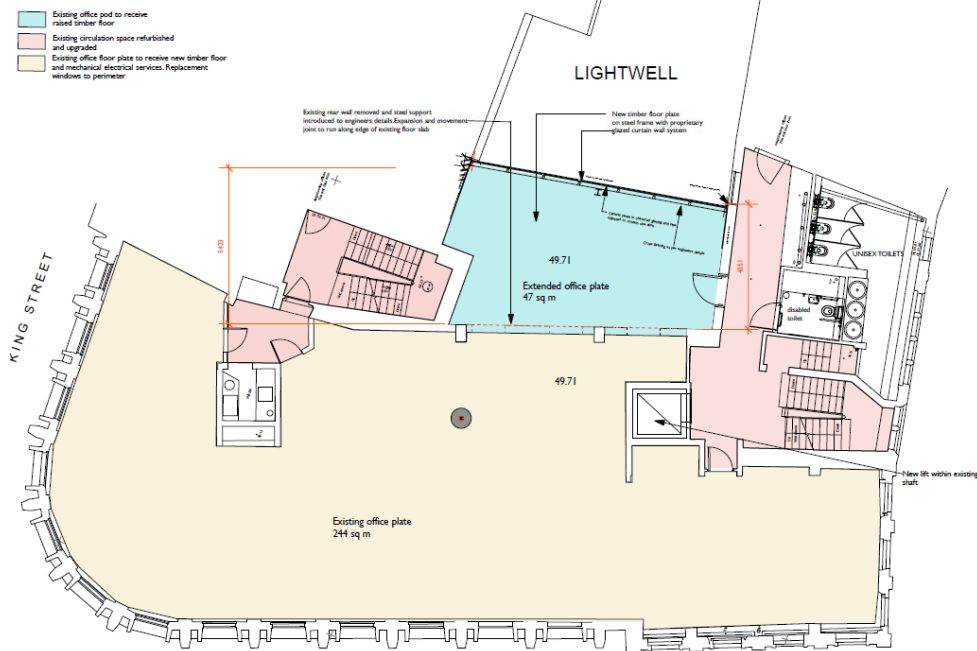


Short section proposed internal

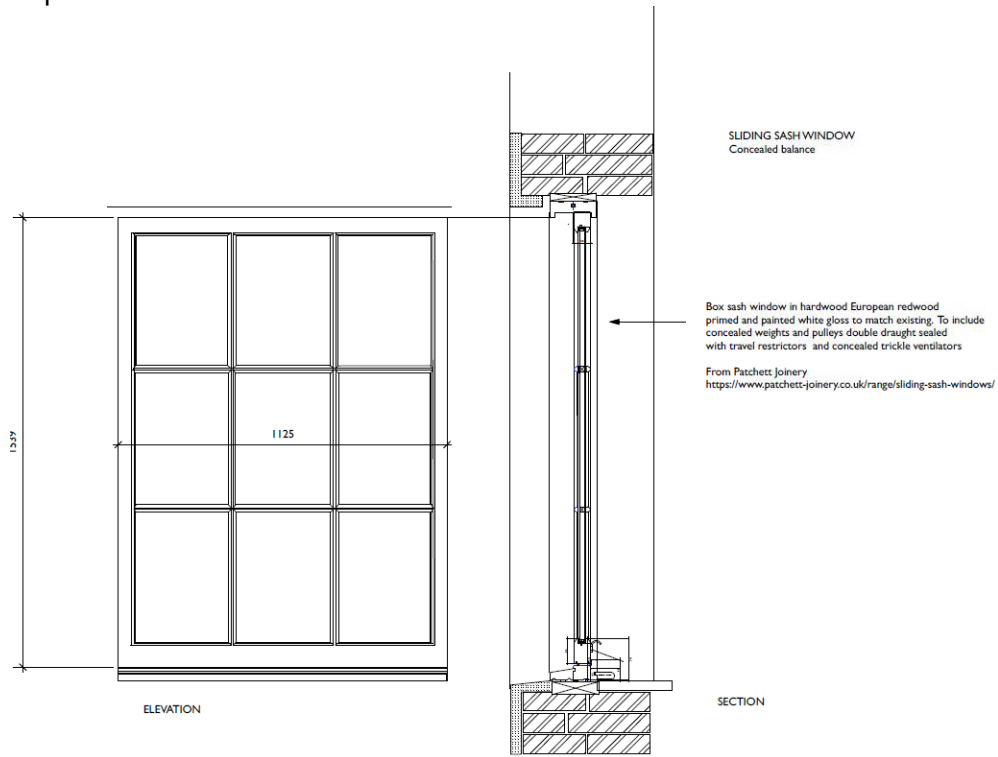
combines survey information from two
 very complex. There is a small discrepancy
 information.
 dimensions and construction details
 inson checked on site. No dimensions
 of from DMG drawing and survey
 original section line Datum: 37.00
 um: 45.000



Example proposed floorplan - second floor



Replacement window materials



Case Officer: Nathalie Weekes

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 09/01/19

ITEM NO. 11

Ward: Katesgrove
App No: 181855/REG3
Address: 125 Basingstoke Road
Proposal: Conversion of redundant storage area to create a three bedroom flat
Applicant: Reading Borough Council
Date validated: 29/10/18
Target Date: 24/12/18
Extension: 11/01/19

RECOMMENDATION

GRANT

Conditions to include:

Standard

1. Time limit for implementation
2. Use of materials
3. Approved plans
4. Bicycle parking provided in accordance with the approved plans

Informatives to include:

1. Terms and conditions
2. Need for building regulations
3. Encroachment
4. Construction and Demolition subject to Environmental Health
5. Positive and proactive

1. INTRODUCTION

- 1.1 125 Basingstoke Road is a four storey, Reading Borough Council owned, block of flats located opposite the junction with Craddock Road. The building is formed in an L-shape and comprises 49 flats. Parking courts are located to the front and rear of the building. Adjacent to Basingstoke Road is an area of amenity space, including a children's playground. The surrounding area comprises a mix of residential, commercial and industrial uses.
- 1.2 The area subject of this application is located at the ground floor to the northeast corner of the building. This area comprises redundant storage, which has been vacant for a number of years.



Site Location

2. PROPOSALS

- 2.1 Full planning permission is sought for the conversion of a redundant storage area to a three bedroom flat. To facilitate the conversion, six additional windows would be located to the northward and eastward elevations at the ground floor. The proposed fenestration is of the same style and design as the existing, positioned to line through vertically and horizontally with that above and aside.
- 2.2 An internal reconfiguration of the space would provide three double bedrooms, a kitchen, bathroom and lounge area. The flat would benefit from an independent access lobby. The flat would have an internal floor space of 100 square metres. Each habitable room would benefit from an external window.
- 2.3 To the front of the building would be located a secure, covered bicycle store for the use of future occupants of the flat.

3. PLANNING HISTORY

- 3.1 980441/REG3 - Construction of three bathroom tower extensions to provide facilities for self-contained bedsits - Permitted 01/05/98

4. CONSULTATIONS

(i) Statutory Consultation

4.1 None.

(ii) Non Statutory Consultation

4.2 Transport Development Control

4.3 The application site comprises a redundant storage area situated on the ground floor of an existing apartment building at 125 Basingstoke Road. The proposal is to convert the redundant storage area into a three bedroom flat.

4.4 The site is in a highly sustainable location with strong public transport links. A number of regular bus services operate along Basingstoke Road connecting the area with Reading town centre. Bus stops are located 150m to the north and south on Basingstoke Road.

4.5 The Council's Parking Standards and Design SPD outlines the required parking provision for various uses in support of Policy CS24 of the Core Strategy. The site is located within Zone 2, where the required parking provision for a three bedroom apartment is 1.5 spaces per unit.

4.6 No new parking spaces form part of this proposal. The Design and Access Statement advises that the proposed tenants are unlikely to own private motor vehicles and thus it is not expected that there will be a significant change in the demand for parking spaces within the existing complex.

4.7 The Council's adopted standard states that a lower provision is acceptable if the site is within a sustainable location, and providing a lower provision of parking will not lead to highway safety issues as a result. Accordingly, a survey of the existing car parking conditions in the vicinity of the site accompanies this application.

4.8 Vehicular access into the site and parking area is taken from B3031 Basingstoke Road. Basingstoke Road is covered by double yellow lines (no parking at any time) and a peak hour loading ban between 08:15 to 09:15 and 16:00 to 18:15. Therefore, any parking overspill on the classified road can be appropriately managed and controlled.

4.9 The car parking surveys indicate that there is some spare capacity on the unrestricted roads in the surrounding residential area. Therefore, the additional demand for parking from the proposed three bedroom flat is unlikely to result in an unacceptable impact on highway safety.

4.10 It is unclear whether the existing storage area provides any cycle storage. The proposal includes the provision of cycle storage lockers near the parking area at the front of the site, although the number of lockers will not accommodate the whole site. The proposed arrangements are acceptable providing that there is not a loss of facilities for the existing residents.

4.11 The proposed apartment will share bin storage facilities with the existing residents which is acceptable.

4.12 In view of the above, there are no transport objections to the proposal, subject to a condition requiring that bicycle storage be provided in accordance with the approved plans.

4.13 Neighbour consultation

4.14 Neighbouring owners and occupiers at 103, 123 and 169 Basingstoke Road and 58-70 (evens) Home Farm Close were consulted by letter. Two site notices were displayed. No letters of representation were received.

5. **LEGAL AND PLANNING POLICY CONTEXT**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy Framework, among them the 'presumption in favour of sustainable development'.

5.2 The application has been assessed against the following policies:

5.3 National Planning Policy Framework

5.4 Reading Borough Local Development Framework Core Strategy (2008) (altered 2015)

Policy CS4: Accessibility and the Intensity of Development

Policy CS5: Inclusive Access

Policy CS7: Design and the Public Realm

Policy CS9: Infrastructure, Services, Resources and Amenities

Policy CS14: Provision of Housing

Policy CS15: Location, Accessibility, Density and Housing Mix

Policy CS18: Residential Conversions

Policy CS20: Implementation of The Reading Transport Strategy

Policy CS22: Transport Assessments

Policy CS24: Car/Cycle Parking

5.5 Reading Borough Local Development Framework Sites and Detailed Policies Document (2012) (altered 2015)

Policy SD1: Presumption in Favour of Sustainable Development

Policy DM4: Safeguarding Amenity

Policy DM5: Housing Mix

Policy DM6: Affordable Housing

Policy DM8: Residential Conversions

Policy DM9: House Extensions and Ancillary Accommodation

Policy DM10: Private and Communal Outdoor Space

Policy DM12: Access, Traffic and Highway-Related Matters

5.6 Reading Borough Proposals Map

5.7 Revised Parking Standards and Design Supplementary Planning Document (2011)

5.8 Supplementary Planning Guidance - A Design Guide to House Extensions (2003)

5.9 Supplementary Planning Document - Residential Conversions (2013)

6. APPRAISAL

(i) Principle of development

6.1 The proposed conversion would increase the available housing stock in the Borough, contributing towards an identified need. In addition, Policy DM8 of the Sites and Detailed Policies Document requires that at least one unit of accommodation should be suitable for family accommodation, with a minimum of two bedrooms. The proposal accords with this. The proposed conversion would also put currently vacant space back into an active use. The principle of the proposed conversion is therefore acceptable, subject to the relevant material planning considerations below.

(ii) Design and impact on the character of the surrounding area

6.2 The proposed conversion is facilitated within the footprint of the existing building. Only minor external alterations are proposed with the installation of six windows. The proposed fenestration is considered appropriate in terms of style and positioning would not detract from the appearance of the building, nor the character of the surrounding area. The proposal is therefore in accordance with Policy CS7 of the Core Strategy.

(iii) Amenity of future occupiers

6.3 The proposed flat would have an independent access, with entry achieved into a private hallway. Adequate ventilation and daylight is available to all rooms, and all habitable rooms would benefit from an external window. Internal floor space standards are achieved by all rooms. Adequate sound proofing could be satisfactorily achieved under the relevant Environmental Health legislation. The proposal is therefore in accordance with Policy DM8 of the Sites and Detailed Polices Document and the Residential Conversions Supplementary Planning Document.

6.4 Occupants of the flat would have use of the existing communal outdoor amenity space, adjacent to Basingstoke Road. This is considered acceptable and is in accordance with Policy DM10 of the Sites and Detailed Policies Document.

(iv) Impact on neighbouring amenities

6.5 Neither the conversion of the redundant storage area, nor the minor elevational alterations are considered to cause harm to the amenity of neighbouring owners and occupiers. Any noise issues that might arise as a result of the conversion could be reasonably controlled by separate Environmental Health legislation. The proposal is therefore in accordance with Policy DM4 of the Sites and Detailed Policies Document.

(v) Transport

6.6 The site is located within Zone 2, Primary Core Area, of the Council's adopted Parking Standards and Design SPD. Typically this zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone. A three bedroom flat in this location would require the provision of 1.5 off-road parking spaces. However, no additional parking has been proposed. As per the Council's standard, a lower provision will

only be acceptable if the site is within a sustainable location and no adverse highway safety issues would result.

- 6.7 As per the parking survey supplied with the application, and the consultation response from Transport Development Control, it is considered unlikely that the proposal would result in an unacceptable impact on highway safety.
- 6.8 A secure bicycle store is proposed to the front of the building, for the use of future occupiers of the flat. The existing bin storage would be shared with future occupiers of the flat. Both of these are considered appropriate in the context of this application. The proposal is therefore in accordance with Policy CS24 of the Core Strategy and Policies DM8 and DM12 of the Sites and Detailed Policies Document.

(vi) Affordable housing

- 6.9 West Berkshire District Council and Reading Borough Council applied for a judicial review of the Secretary of State's Written Ministerial Statement (WMS) to Parliament in 2014 on changes to national planning policy. Those changes sought to exempt developments of 10 or less dwellings from planning obligations for affordable housing and social infrastructure contributions and to introduce a new measure known as the Vacant Building Credit.
- 6.10 The High Court handed down its judgment on the case on 31st July 2015. The High Court found in favour of the challenge by the local authorities and quashed the amendments to the NPPG. The Secretary of State appealed the judgment and the Court of Appeal has now quashed the decision of the High Court.
- 6.11 At its meeting of the Strategic Environment Planning and Transport Committee on 13th July 2016, the Council discussed the outcome of the Court of Appeal's decision on its challenge (the report can be found here: http://www.reading.gov.uk/media/5651/Item09-SEPT-C-Report-on-C-of-Appeal-judgement-05-16/pdf/Item09_SEPT_C_Report_on_C_of_Appeal_judgement_05_16.pdf).
- 6.12 The Committee agreed the following as the basis for determining planning applications where Policy DM6 of the SDPD is relevant:
To implement Policy DM6 as currently adopted in the SDPD but excluding proposals that solely involve the conversion of an existing property, where the conversion involves the provision of 10 or less dwelling units (i.e. not HMOs), or the replacement of dwellings by the same number of replacement dwellings where there is no net increase.
- 6.13 The proposal is for conversion of existing building and therefore on the basis of the above amendment to Policy DM6 the proposal is not considered to require an affordable housing contribution.

(vii) Equality

- 6.14 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues

and priorities in relation to the particular planning application. 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

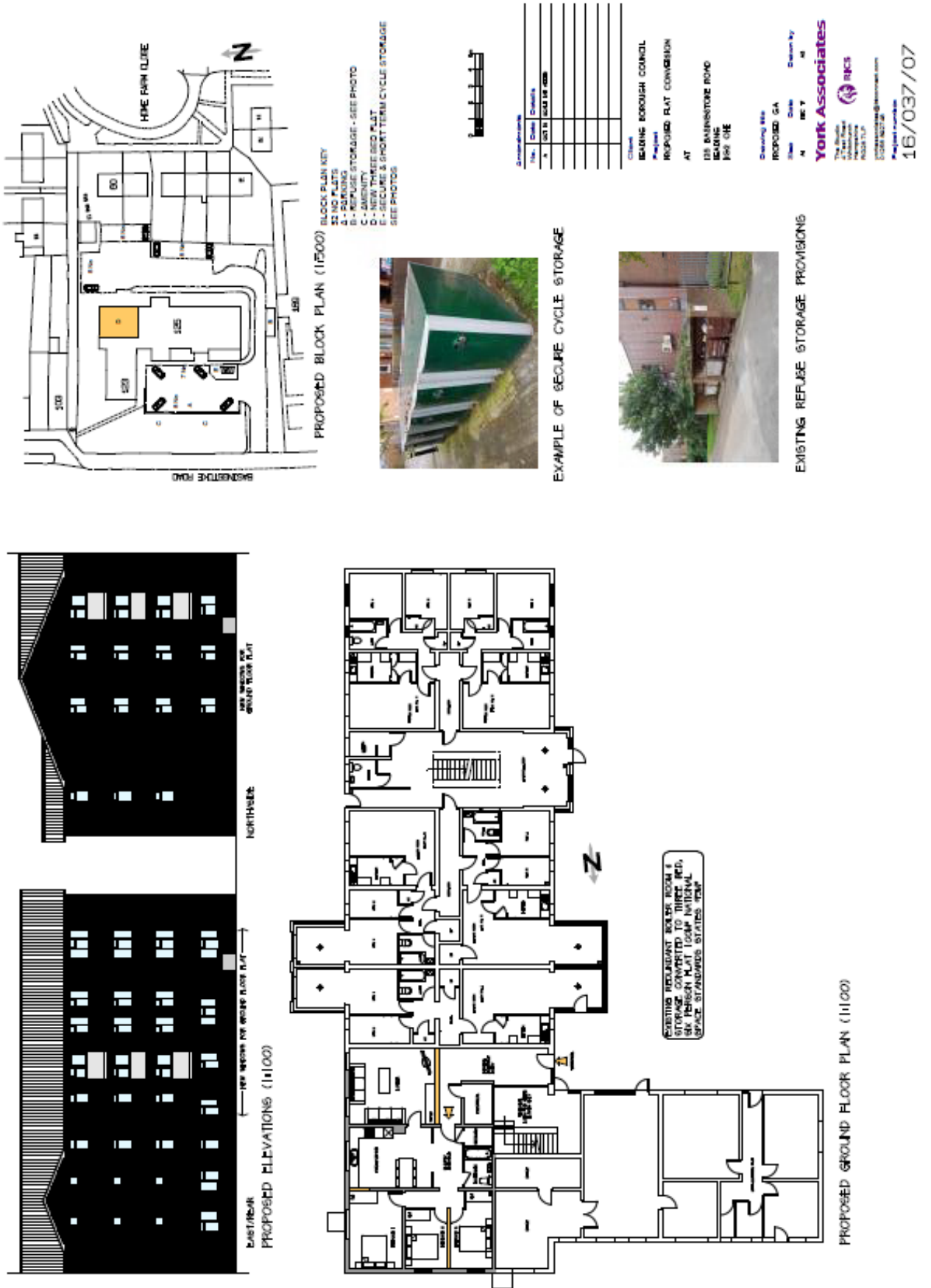
- 7.1 The proposed development is considered acceptable in the context of national and local planning policy, as set out in this report. The application is recommended for approval on this basis.

8. PLANS

Document Ref: P17-2367 - Design and Access Statement (received 22/11/18)
Drawing No: 16/037/07 Rev. A - Block Plan, Proposed Ground Floor Plan and Elevations (received 29/10/18)
Parking Stress Survey Report, by Alpha Parking Ltd (received 25/10/18)

Case Officer: Tom Hughes

Block Plan, Proposed Ground Floor Plan and Elevations



COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 9th January 2019

ITEM NO. 12

Ward: Minster

App No: 181853/REG3 & 181854/REG3

Address: 72 Brunswick Street & 80 Brunswick Street

Proposal: Conversion of redundant bin store, laundry and cycle storage area to create a one-bedroom apartment; new refuse and cycle storage facilities and soft landscaping.

Applicant: Reading Borough Council

Date validated: 24 October 2018

Target Date: 19th December 2018

Extended deadline: 9 February 2019

RECOMMENDATION for 181853 & 181854

Delegate to Head of Planning, Development and Regulatory Services to:

i) GRANT Full Planning Permission, subject to the satisfactory completion of a unilateral undertaking legal agreement to secure:

The new one-bedroom flats to be for the purposes of temporary affordable housing.

OR

ii) to REFUSE permission should the legal agreement not be completed by 9 February 2019, unless the Head of Planning, Development and Regulatory Services agrees to a later date for completion of the agreement.

(The S106 unilateral undertaking agreement is to be subject to such terms and conditions that the Head of Legal and Democratic Services considers appropriate and in the best interests of the Council.)

Conditions to include:

Standard

1. Time limit for implementation (3 years)
2. Use of materials (to match existing)
3. Approved plans
4. Tree Protection Conditions
5. No automatic entitlement to parking permits
6. Construction hours

Informatives to include:

1. Positive and Proactive Statement
2. Terms and conditions
3. Need for building regulations
4. Unilateral Undertaking Legal Agreement

1. INTRODUCTION

- 1.1 The apartment blocks, which the application sites are a part of, are located on the western side of Brunswick Street. 80 Brunswick Street is located on the corner of Brunswick Street and Bath Road; whilst No.72 is located a further ~60 metres north. Opposite this block, across the road, is the boundary to Downshire Square Conservation Area.
- 1.2 80 Brunswick Street is an apartment block in the shape of a 'T', with the top of the 'T' closest to Brunswick Street. The apartment block is three storeys tall, and the section of this building which is the subject of this application is located on the ground floor on the North-West side of the apartment block (bottom left of the 'T').
- 1.3 72 Brunswick Street is a similar apartment block, with one extra 'leg' giving it the shape of a '+'. The apartment block is three storeys tall, and the section of this building which is the subject of this application is located on the ground floor on the north-east side of the apartment block (top-right of the '+').



72 Brunswick Street

80 Brunswick Street

2. PROPOSALS

- 2.1 Originally both applications sought full planning permission for the conversion of the communal bin store, cycle store and laundry room to new one-bedroom apartments. The bin stores and cycle stores were proposed to be replaced by creating new external storage facilities for these; however the laundry room would not be replaced.
- 2.2 Upon consultation, it was made clear that the laundry rooms of the apartment blocks were not “redundant” as stated in the planning application; and therefore through negotiation, new plans were provided.
- 2.3 The amended proposal now provides one small communal laundry room in each apartment block, as well as providing external cycle and bin storage facilities.
- 2.4 As existing 72 Brunswick Street has an external area for the storage of four bins located in the proposed location shown within this application. 80 Brunswick Street has two external bins. Originally these two bins were to be replaced by four new bin storage facilities in a different location; however in order to help tackle the concerns raised by the Environmental Protection team, this has been amended to only provide two secure bin storage facilities in the place of the existing external bins. In addition to this, a tree protection plan has been produced.
- 2.5 As for cycle storage, as existing there is room in each cycle store room to lock six bicycles to the wall, however, while the room is capable of storing more than six bikes there is no facility to secure them directly to the wall. The proposed cycle storage for 80 Brunswick Street will be located north of the proposed flat, to the East of the existing external bin storage location. The proposed cycle storage for 72 Brunswick Street will be located to the east of the proposed flat, and north of the existing (and proposed) external bin storage facilities. Both cycle storage facilities will comprise of individual cycle lockers (Velo-Safe), which are formed from interlocking cone shapes. There are proposed to be seven of these cycle lockers for each development.
- 2.6 The existing layouts of the rooms to be converted consist of three rooms each, and both have two individual accesses. The cycle storage rooms have their own accesses. 80 Brunswick Street’s cycle storage room is accessed from the east, and the bin store and laundry room are accessed from the south. 72 Brunswick Street’s cycle storage room is accessed from the west, and the bin store and laundry room are accessed from the east. The proposed conversion will include the demolition of the internal wall which separates the cycle storage room from the other rooms in both proposals; and then blocking up one of the doorways. 80 Brunswick Street proposes to block up the southern doorway, and 72 Brunswick Street proposes to block up the eastern doorway.
- 2.7 Diagrams relating to the proposal at 80 Brunswick Street can be viewed in Appendix A; and diagrams relating to the proposal at 72 Brunswick Street can be viewed in Appendix B.

No.72 Brunswick Street

Plan Type	Description	Drawing Number	Date Received
Design and Access Statement		N/A	22 Nov-18
Plans	Floor plans, Elevations, Block Plan, Location Plan - Existing & Proposed	16/037/01C	13 Dec-18
Parking Stress Survey		N/A	25 Oct-18
Bin Plans	Within D&A Appendix 3	PBM2-Sheet1-2D Drawing	22 Nov-18

No.80 Brunswick Street

Plan Type	Description	Drawing Number	Date Received
Design and Access Statement		N/A	22 Nov-18
Plans	Floor plans, Elevations, Block Plan, Location Plan - Existing & Proposed	16/037/02D	13 Dec-18
Parking Stress Survey		N/A	25 Oct-18
Tree Protection Plan		16/037/03	13 Dec-18
Bin Plans		PBM2-Sheet2-2D Drawing	20 Nov-18

3. PLANNING HISTORY

3.1 None relevant

4. CONSULTATIONS

4.1 Statutory:
None

4.2 Non-statutory:

4.2.1 **RBC - Transport Development**

The site is in a highly sustainable location with strong public transport links. A number of regular bus services operate along Bath Road and Tilehurst Road connecting the area with Reading Town Centre.

The Council has a Parking Standards and Design SPD (2011) which outlines the required parking provision for various uses in support of Policy CS24. The site is located in Zone 2, where the required parking provision for a one-bedroom apartment is 1no. parking space per unit.

No new car parking spaces form part of this proposal. The Design and Access statement states the proposed accommodation will often be used as temporary accommodation. As such, vehicular ownership among future occupants is likely to be very low (if not nil). As such, the actual demand on parking facilities in the surrounding area is unlikely to materially increase.

The Council's adopted standards states that a lower parking provision is acceptable providing it will not lead to highway safety issues as a result. Therefore, a survey of the existing car parking conditions in vicinity of the site has been submitted.

The car parking surveys indicate that the surrounding residential streets are heavily parked up during evenings and weekends. However, during the survey periods, the potential demand for one additional parking space could be accommodated within the surrounding area. In view of this, the additional demand for parking from the proposed one-bedroom apartment is unlikely to result in an unacceptable impact on highway safety.

It is clear that the former store provided cycle parking for the flats. The proposal will see the re-provision of cycle storage lockers near the parking area although the number of lockers will not accommodate the whole site. Therefore, the number of storage lockers should be increased to 8 to meet the demand for the site. Alternatively, Sheffield stands can provided within a lockable covered store which may be a more cost effective option. However, I am happy to deal with these details by condition.

The proposed apartment will share bin storage facilities with the existing residents which is acceptable.

In view of the above, there are no transport objections to this application subject to [a] condition.

4.2.2 **RBC - Ecology**

The Ecology Department was consulted but have raised no comment.

4.2.3 *RBC - Natural Environment*

A number of trees along the western boundary are subject of a Tree Preservation Order ref: 62/06.

This application represents only minor alterations to the buildings with the replacement of doors with windows, small fenestration changes and provision of defensible planting and a low dwarf wall to flank elevations. These minimal alterations would not have foreseeable harm to the protected trees on and adjacent to the site.

However, trees can be inadvertently harmed by works activity within their rooting areas and as no information has been submitted with regards to trees, I cannot confirm the impact of the extended bin store on the adjacent trees.

The applicant will need to submit a plan showing the locations and BS:5837 RPA of the trees growing on or adjacent to the site. The plan should identify proposed storage areas including temporary ground protection where necessary during the build works. I would say at this point that tree protection fencing is not likely to be required however I do want to see a brief arboricultural method statement which details the steps to be taken to ensure that the trees are not harmed during the building works. We will also need a cross section drawing showing the structure and depth of footings for the bins.

If you are minded to approve the application, I would recommend this information is requested before the application is decided so that any threats to the trees can be identified and any necessary revisions made to the scheme beforehand."

As suggested, the agent was contacted on 19 November 2018 to request additional information.

The agent responded on 20 November 2018, relocating the proposed bins back to their original location and cutting the number of units in half (from four to two). The agent stated, *"I believe that we were under no obligation to provide further bin storage but simply looked to improve facilities at the site.*

Therefore, I attached a revised plan (/02C) which is now showing the bins replaced on the existing tarmac hardstanding together with a two bay bin store design.

I hope that this will overcome the concerns of the Natural Environmental Team."

The Natural Environment team were requested to provide new comments on 20 November 2018.

Their updated comments received on 28th November 2018 are as follows:

"The trees along the western boundary are subject of a TPO. Although the proposed internal alterations will not have any direct impact on the trees, their rooting areas may be affected by storage or works activities associated with the build during the course of the development.

I would like a scheme of tree protection to be submitted and approved in support of this application. This does not require a full tree survey, but should include a plan showing fencing to the west of the boundary and with the area to the east of the access path designated the site storage area. Supporting text will provide information on the structure of the fencing and timelines for implementation”.

On 13th December 2018, a Tree Protection Plan was received. Further comments were received from the Natural Environment officer on 17th December 2018 in regards to these new plans. These comments state: *“The Tree Protection Conditions are acceptable. Please can you list the Tree Protection Plan as one of the approved documents if consent is granted”.*

4.2.4 Comments received from the Waste Operations Team on 22nd November 2018 state:

“181853 - 72 Brunswick Street

- *There...[are] already bin enclosures in place, so this has already gone ahead. The addition of one flat could affect the amount of bins that is needed, so the addition of one more store unit may be necessary to house 2 smaller bins.*

181854 - 80 Brunswick Street

- *No objection to this, as the enclosures would be in the same place as currently, or closer (as the general waste bins would be closer). As always I would recommend lightly and secure coded locks on the store. The plans show the correct amount of bins that they currently have and the addition of one flat would not affect this. Due to the collection frequency they made need additional recycling bins”.*

4.3 Public consultation:

4.3.1 80 Brunswick Street

Three letters of representation have been received from two members of the public. The two letters from one member of the public object to the application on the basis that there will not be anywhere for tenants to undertake laundry tasks. The main issues raised are as follows:

- The communal laundry room is not redundant.
- The kitchens in the flats are too small, and therefore cannot fit washing machine.
- This particular objector has used the communal laundry room for over 50 years.
- The nearest laundrette is one or two bus journeys away, which is an impossible journey for elderly people.

The other letter objected to the application on the basis of an increase in crime and antisocial behaviour due to the proposed flat being used to house homeless people.

4.3.2 72 Brunswick Street

Six letters of representation have been received from six members of the public. One of these objected to the application on the basis of parking/loading/turning; as well as some anti-social behaviour concerns. Their comments highlighted the following points:

- There is not enough space for storage within the flats.
- Garages have been taken away and not replaced at the rear.
- The car park and spaces available at the rear and also adjacent are bleak parking issues.
- Residents are already having their cars vandalised.
- People are parking in the area and commuting to work.
- Money needs to be spent in other places rather than increasing the number of housing in the area.

The other five letters objected to the application on the basis of an increase in crime and antisocial behaviour due to the proposed flat being used to house homeless people.

5. RELEVANT PLANNING POLICY AND GUIDANCE

5.1 National Planning Policy Framework

5.2 Reading Borough Local Development Framework Core Strategy (RCS) (Adopted January 2008 - amended 2015)

- CS1: Sustainable Construction and Design
- CS4: Accessibility and Intensity of Development
- CS6: Settlement Boundary
- CS7: Design and the Public Realm
- CS15: Location, Accessibility, Density and Housing Mix
- CS18: Residential Conversions
- CS24: Car/Cycle Parking
- CS33: (Protection and Enhancement of the Historic Environment)
- CS36: Biodiversity and Geology

5.3 Sites and Detailed Policies Document (2012)(Altered 2015)

- SD1: Presumption in Favour of Sustainable Development
- DM1: Adaptation to Climate Change
- DM4: Safeguarding Amenity
- DM7: Accommodation for Vulnerable People
- DM8: Residential Conversions

5.4 Supplementary Planning Guidance

- "A Design Guide to House Extensions" (2003)
- "Parking Standards and Design" (2011)
- "Residential Conversions" (2013)

6. APPRAISAL - Both Planning Applications

(i) Legal context

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

(ii) Main Issues

6.2 The main issues are considered to be:

- (i) Principle of Development

- (ii) Design and impact on the character of the surrounding area
 - (iii) Impact on amenity
 - (iv) Impact upon heritage assets
 - (v) Parking
 - (vi) Affordable Housing
 - (vii) Other Matters
- (i) Principle of Development
- 6.3 The application site lies within the settlement boundary of Reading where the principle of sustainable development/re-development is acceptable, subject to compliance with other relevant policies of the development plan.
- 6.4 Whilst Policy CS18 relates to the conversion of existing residential dwellings to apartments, some of its provisions could be applied in this instance. The policy specifically states that proposals for residential conversions will be considered acceptable assuming that the proposed conversion would not have an adverse impact on a variety of factors, including:
- Amenity
 - Character of the surrounding area
 - Intensification
 - Privacy
 - External amenity space
 - On-site parking
 - Bin storage
- 6.5 The proposed scheme will be providing affordable homes. In addition to this the proposal will not consist of much in the way of building works, as the majority of the changes are internal. As such it is considered that in principle the proposed developments are acceptable as long as they comply with Policies set out within the Local Development Framework.
- (ii) Design and impact on the character of the surrounding area
- 6.6 The proposed conversions do not majorly change the external appearance of the apartment blocks, as the only minor alterations are the blocking up of an existing doorway in each application and No,80 Brunswick Road involves the installation of a small window. All materials are to match the existing apartment block. As such it is considered that there will not be a detrimental impact upon the surrounding character of the area or the street scene from a design perspective.
- 6.7 The proposals involve the installation of external bin storage facilities and external cycle storage facilities. The bin stores will have an overall height of 1.816 metres, and an overall base depth of 1.33 metres (the roof depth will be 1.4 metres). The overall width of the four unit bin store will be 6.2 metres, which contains four 1.45 metres wide doors. The overall width of the two unit bin store will be 3.06 metres, which contains two 1.45 metres wide doors. The two unit bin store is also proposed to be positioned on foundation pads which have a height of 0.25 metres. This raises the overall height of the two unit bin store (to be used at 80 Brunswick Street) to 2.066 metres. Each door can open 175° and requires a clearance of 1.465 metres. Diagrams for both bin storage facilities can be found in Appendix's C and D.

- 6.8 The cycle storage units are designed by a company known as 'Velo-Safe'. A bank formed of 7 Velo-Safe Lockers, in an alternating formation so that the triangular shapes interlink with one another will give a front width of 3.9 metres, and a rear width of 3.38 metres. The length will remain 1.9 metres. Both proposals will have seven of these Velo-Safe Lockers.
- 6.9 These storage facilities for both bins and bicycles are considered to be positioned in reasonable locations, and will not have an overbearing impact upon the surrounding area.



Proposed cycle storage lockers.



Proposed bin storage (the proposed units will only consist of two of these).

(iii) Impact on amenity

- 6.10 There is a provision of soft landscaping along the northern elevation will create a buffer zone around the property and will help to ensure the privacy and amenity of future occupants is protected. This is especially important as the proposed flat is located on the ground floor.
- 6.11 As a result of the proposed development, there will not be an adverse impact upon the amenity of neighbouring properties in regards to overlooking, overshadowing or outlook.
- 6.12 The submitted Design and Access Statements state, "*The laundry area of the apartment building is not used by residents*" (D&A for No.72 Brunswick Street; and "*The laundry area of the apartment building is not currently used by residents as most apartments typically have their own private washing facilities*" (D&A for No.80 Brunswick Street).
- 6.13 However, formal comments were received objecting to the application at No.80 on the loss of the communal laundry room. In addition to this, informal conversations were held with other residents of both blocks which further highlighted this issue. After negotiation, the applications now propose to keep a small laundry room facility in each apartment block.
- 6.14 Policy DM4 of the Sites and Detailed Policy Document 2012 (Altered 2015) relates to 'safeguarding amenity'. It states, "*Development will not cause a significant detrimental impact to the living environment of existing or new residential properties, in terms of:*
- *Privacy and overlooking;*
 - *Access to sunlight and daylight;*
 - *Visual dominance and overbearing effects of a development;*
 - *Artificial lighting;*

- *Vibration;*
- *Dust and fumes;*
- *Smell; or*
- *Crime and safety"* .

Policy DM4 is to be read in conjunction with Policy DM8 and DM9, although in this instance DM9 does not apply. The proposed schemes are considered to safeguard the amenity of future and existing residents.

6.15 Policy DM8 states, "*Proposals to convert properties into self-contained flats...will only be acceptable where...there are no unacceptable adverse impacts to other residential properties arising from noise and disturbance in terms of the number and layout of units proposed and the proximity to other properties"* . It continues to state, "*Bin and cycle storage [should be]...of an appropriate size and standard for the units proposed and should be located at ground floor level with easy access"* .

6.16 From a crime and safety perspective, concerns were raised through letters of representation regarding the flats being specifically used for housing homeless people. However; these concerns have now been overcome via the amended Design and Access Statement, which now states that the flats will be used for providing affordable housing.

6.17 In addition to this, the minimum gross internal floor areas and storage (m²) space standards are:

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) ¹			1.0
	2p	50	58		1.5

The proposed flat at No.80 Brunswick Street will have a gross internal floor area of 30.7m²; and the flat at No.72 Brunswick Street will have a gross internal floor area of 31m². Whilst these measurements do fall below the gross internal floor areas set out within the 'Technical housing standards - nationally described space standard' (March 2015); weight should be given to the fact that they will be affordable homes, and they will "*often be used as temporary accommodation"* (paragraph 6.15 of the Design & Access Statements).

6.19 The proposed scheme complies with Policies DM4 and DM8 of the Sites and Detailed Policy Document 2012 (Altered 2015). As such it is considered that there will not be a detrimental impact upon the amenities of neighbouring

¹ Notes:

1. Built-in storage areas are included within the overall GIAs and include an allowance of 0.5m² for fixed services or equipment such as a hot water cylinder, boiler or heat exchanger.
2. GIAs for one storey dwellings include enough space for one bathroom and one additional WC (or shower room) in dwellings with 5 or more bedspaces. GIAs for two and three storey dwellings include enough space for one bathroom and one additional WC (or shower room). Additional sanitary facilities may be included without increasing the GIA provided that all aspects of the space standard have been met.
3. Where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m², as shown bracketed.
4. Furnished layouts are not required to demonstrate compliance

properties. The objections in regards to the loss of the laundry room have been overcome with revised plans.

(iv) Impact upon heritage assets

6.20 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.

6.21 Policy CS33 of the RCS states, "*Historic features and areas of historic importance and other elements of the historic environment, including their settings, will be protected and where appropriate enhanced.*

This will include: -

- *Listed Buildings;*
- *Conservation Areas;*
- *Other features with local or national designation, such as sites and features of archaeological importance, and historic parks and gardens.*

Planning permission will only be granted where development has no adverse impact on historic assets and their settings. All proposals will be expected to protect and where appropriate enhance the character and appearance of the area in which they are located."

6.22 The application sites are not located within a conservation area, nor are they listed; however, the sites do lie close to the Downshire Square Conservation Area and the Grade II listed building of the Water Tower at 42 Bath Road located to the west of No.80 Brunswick Street.

6.23 Due to the minor exterior alterations proposed within this application, it is considered that there is unlikely to be any detrimental impact upon the heritage assets as a result of permitting this application. The application is therefore considered to comply with Policy CS33.

(v) Parking

6.24 The site is located within Zone 3, Secondary Core Area, of the adopted Parking Standards and Design SPD. In accordance with the adopted SPD, the development would be required to provide a parking provision of 1.5 spaces per 1-2 bedroom flat.

6.25 The proposed flat will be used as temporary affordable accommodation for individuals before more suitable accommodation can be arranged for them. As such, vehicular ownership among future occupants is likely to be low.

6.26 Brunswick Street is not part of the Council's Resident Permit scheme and there is considerable pressure for on-street car parking in the vicinity of the site. It is accepted that the accommodation is intended to be provided as affordable housing, any overflow parking demand created by the developments could not be accommodated on the surrounding roads. Given that the adopted parking policy requires 1.5 parking spaces for the development, a concise parking stress survey report has been undertaken.

This survey was undertaken over two days including an evening and weekend observation in order to establish the take up of spaces associated with the existing developments.

- 6.27 The results found that Brunswick Street had the lowest average stress for both the days it was conducted (at 70%). It is considered that there is sufficient capacity in the area to accommodate the additional vehicle generated by this development, and this has been confirmed by the Transport Department; with the addition of a condition. One of the reasons which formed this is because the flats will "*often be used as temporary accommodation*" (paragraph 6.15 of the Design & Access Statements).
- 6.28 The apartment block has 6 parking spaces of which it can make use of. As existing there are 17 flats within the apartment block. This gives one space per 2.8 flats. With the addition of an extra flat, this number increases to one space per 3 flats, as no extra vehicular parking has been proposed.
- 6.29 The existing cycle store provides 6 spaces to lock bikes up within the room, although more could be stored without being locked to the wall. Using the 6 spaces, as existing this gives one cycle space per 2.8 flats. The proposed cycle storage provides an extra seventh space.
- 6.30 Furthermore, when the site visit was conducted, on-street parking spaces were readily available, as well as there being free spaces in the designated parking places for the apartment block. It was also noted that there was only one bike in the cycle storage room.
- 6.31 It is therefore considered that in terms of parking and cycle storage, the proposed increase of one extra flat will not have a detrimental impact to the parking stress in the area.
- (vi) Affordable Housing & S106
- 6.32 At its meeting of the Strategic Environment Planning and Transport Committee on 13th July 2016, the Committee agreed the following as the basis for determining planning applications where Policy DM6 of the SDPD is relevant:
- To implement Policy DM6 as currently adopted in the SDPD but excluding proposals that solely involve the conversion of an existing property, where the conversion involves the provision of 10 or less dwelling units (i.e. not HMOs), or the replacement of dwellings by the same number of replacement dwellings where there is no net increase.*
- 6.33 Therefore as both proposals relate to conversion of rooms in existing buildings Policy DM6 would not apply.
- 6.34 However, as mentioned above, the proposed room sizes are only acceptable on the basis of the intention to use the flats as temporary affordable housing accommodation and therefore it is necessary to securing the use of the proposed units as such by way of a section 106 unilateral undertaking legal agreement.

(vii) Other Matters

- 6.35 In determining these applications the Council is required to have regard to its obligations under the Equality Act 2010. From consultation on this application it has been mentioned that the original proposal which resulted in the removal of the laundry room would have made washing clothes significantly harder for an objector who falls into one or more groups protected by the Equality Act.
- 6.36 With the revised plans now containing a laundry room, it is considered that this issue has been overcome, and as such the proposals respect the Equality Act 2010.

7. PLANNING BALANCE AND CONCLUSION

- 7.1 The proposed developments at both No.72 and No.80 Brunswick Street will involve minimal external works, and as such it is considered that there will be no detrimental impact upon the character of the area or the street scene as a result of permitting planning permission. In addition to this, heritage assets in the local vicinity are unlikely to be impacted as a result of these proposals.
- 7.2 From an amenity perspective, although the flats are below the national space standards; both flats are proposed to contribute towards affordable housing, and will be often used for temporary accommodation. As such it is considered that any residents of the flats will not be negatively impacted as a result of living here. In addition to this, the gross internal measurements of the flats are not considered to be abnormal when compared to other flats within Reading Borough.
- 7.6 The proposed developments are considered acceptable in planning terms and respects the Equality Act 2010. As such the Officer's recommendation is to grant planning permission subject to conditions and a S.106 unilateral undertaking agreement being signed.

Case Officer: James Overall

Appendix A - 80 Brunswick Street

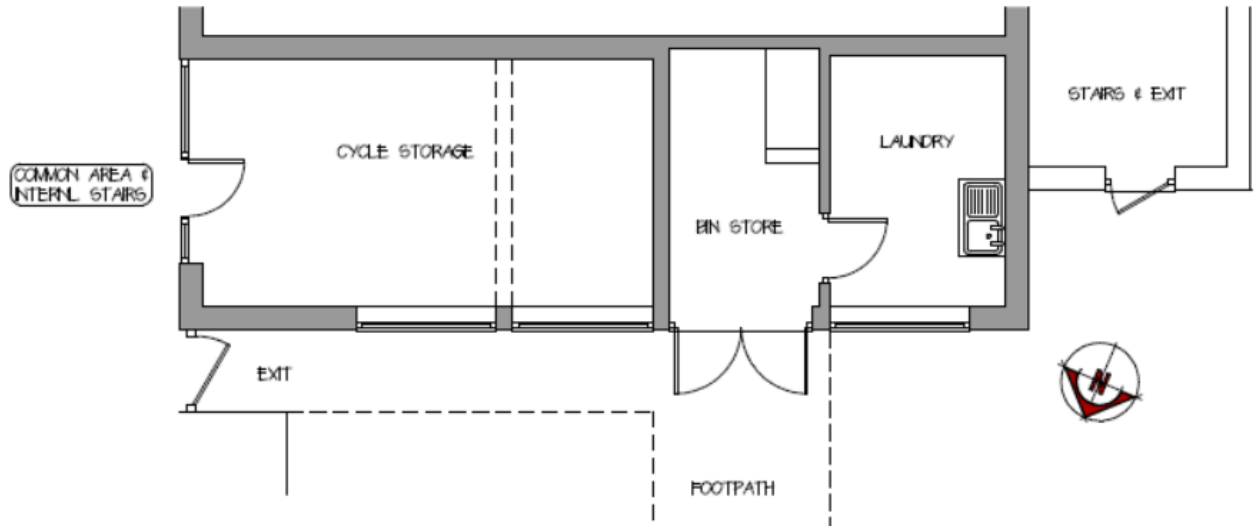


Figure 1: Existing floor plan

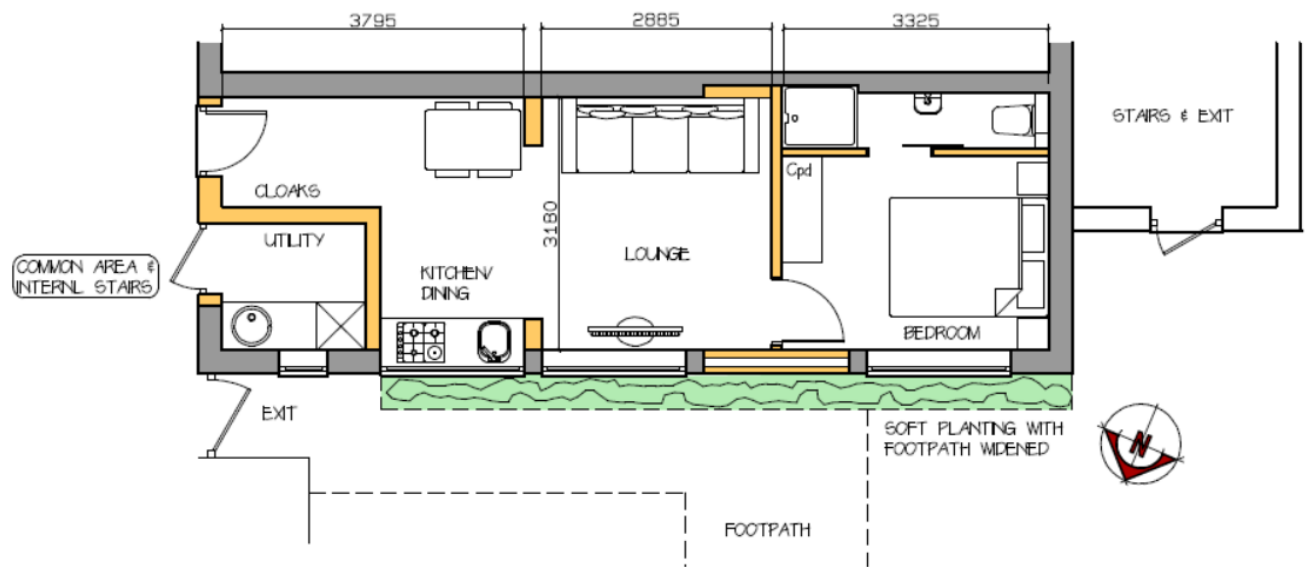


Figure 2: Proposed floor plan



Figure 3: Existing Northern Elevation



Figure 4: Proposed Northern Elevation

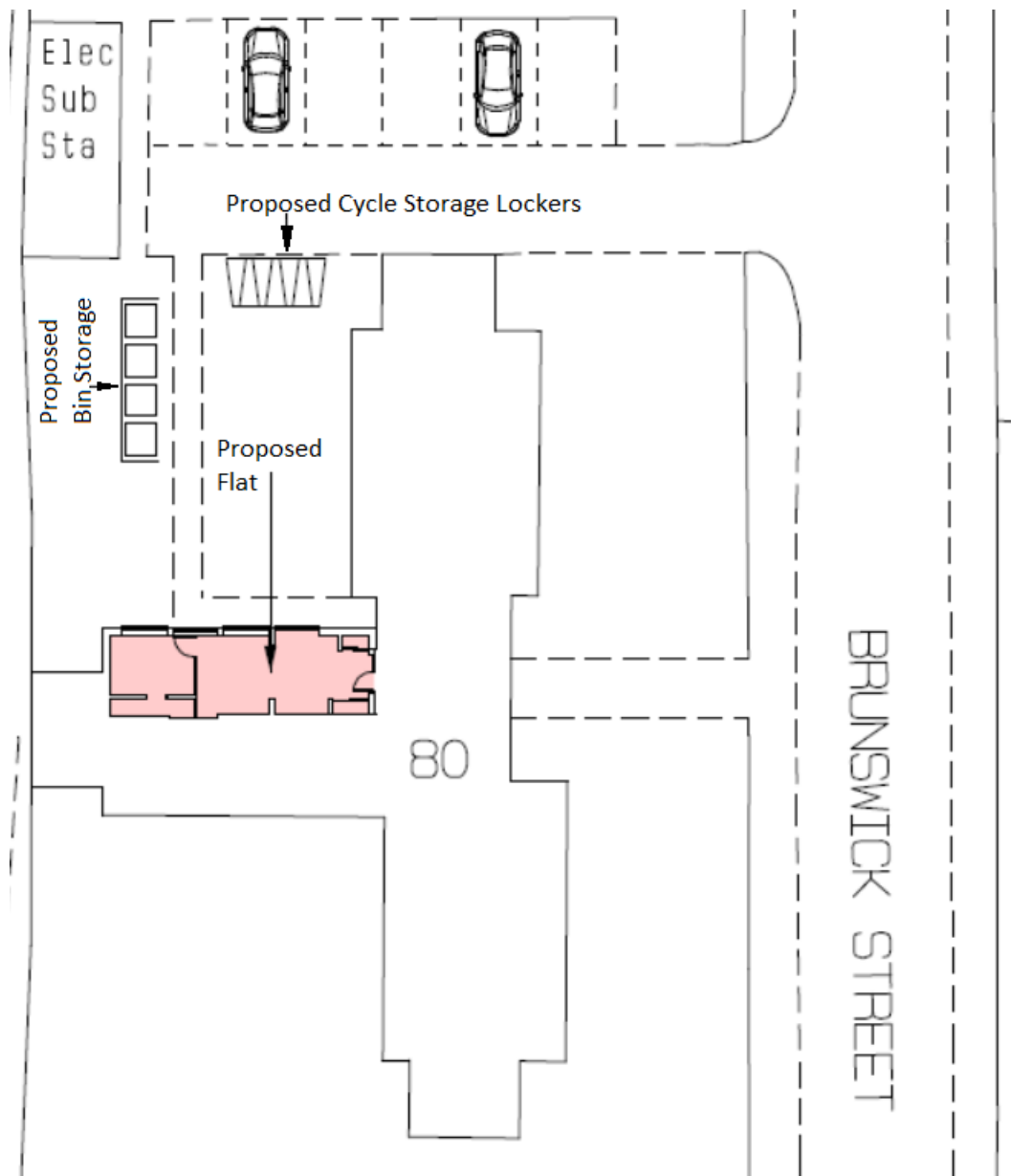


Figure 5: Proposed Site layout

Appendix B - 72 Brunswick Street

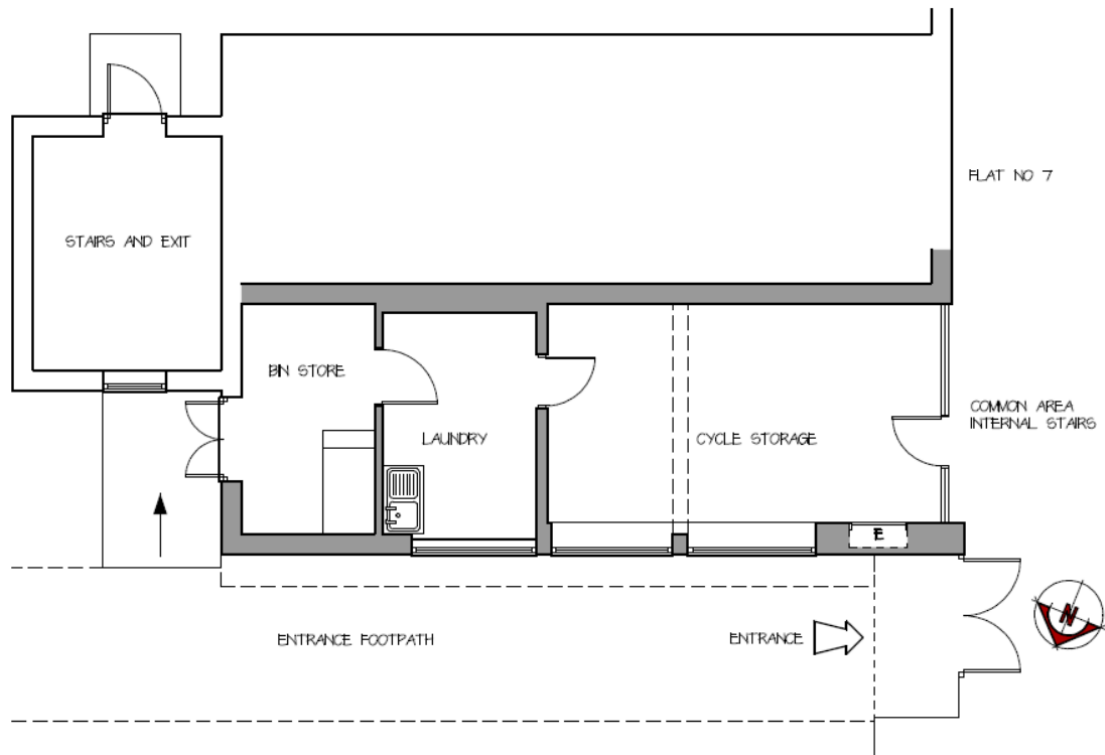


Figure 6: Existing Floor Plan

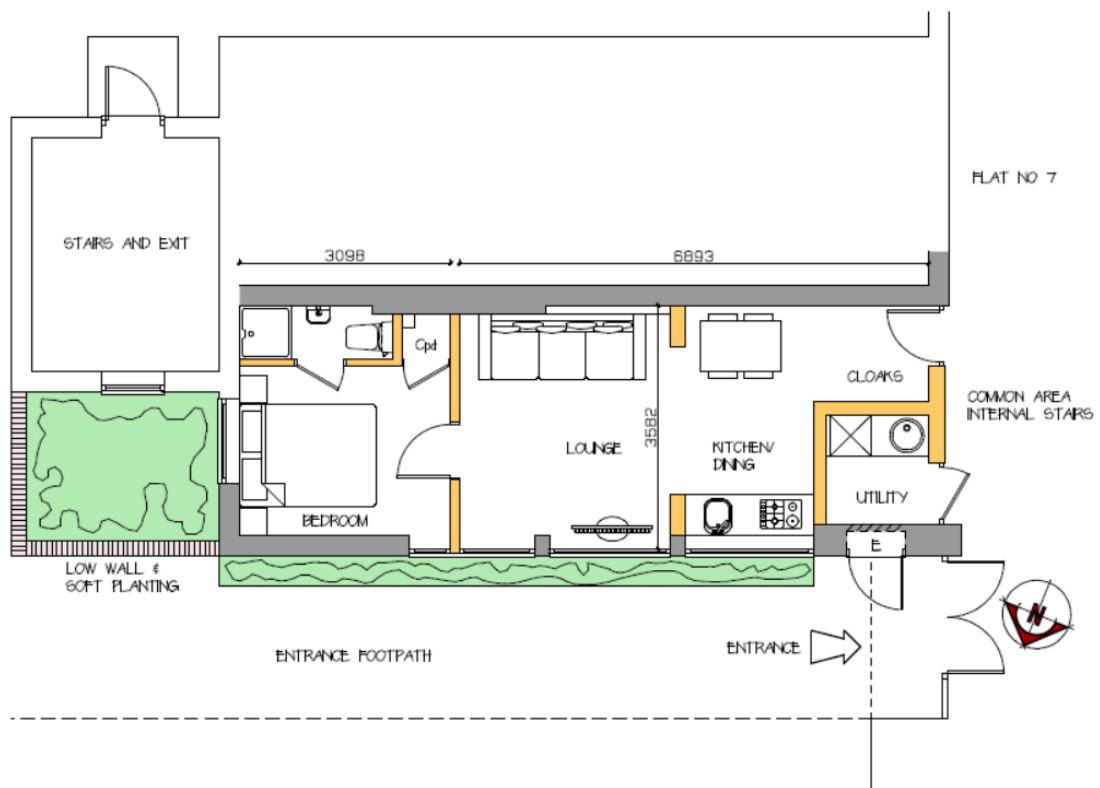


Figure 7: Proposed Floor Plan



Figure 8: Existing Northern Elevation



Figure 9: Proposed Northern Elevation



Figure 10: Existing Eastern Elevation



Figure 11: Proposed Eastern Elevation

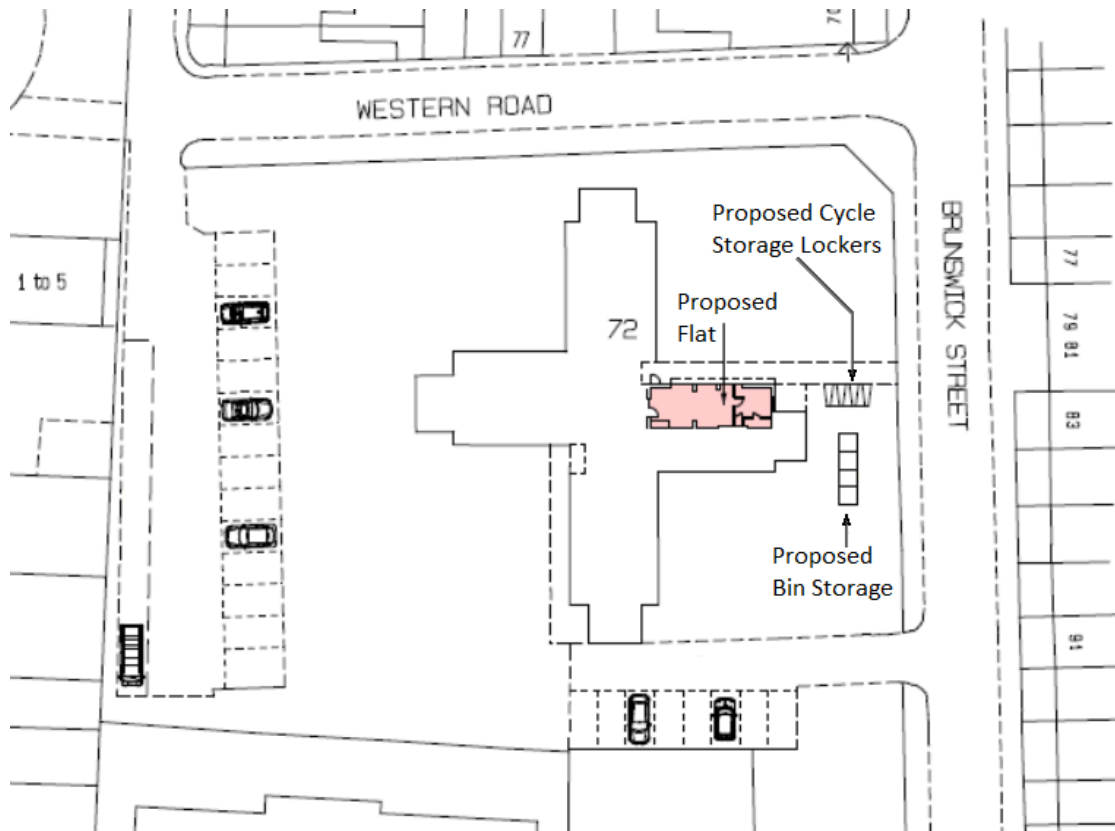


Figure 12: Proposed Site Plan

Appendix C - Proposed Bin Storage for 80 Brunswick Street

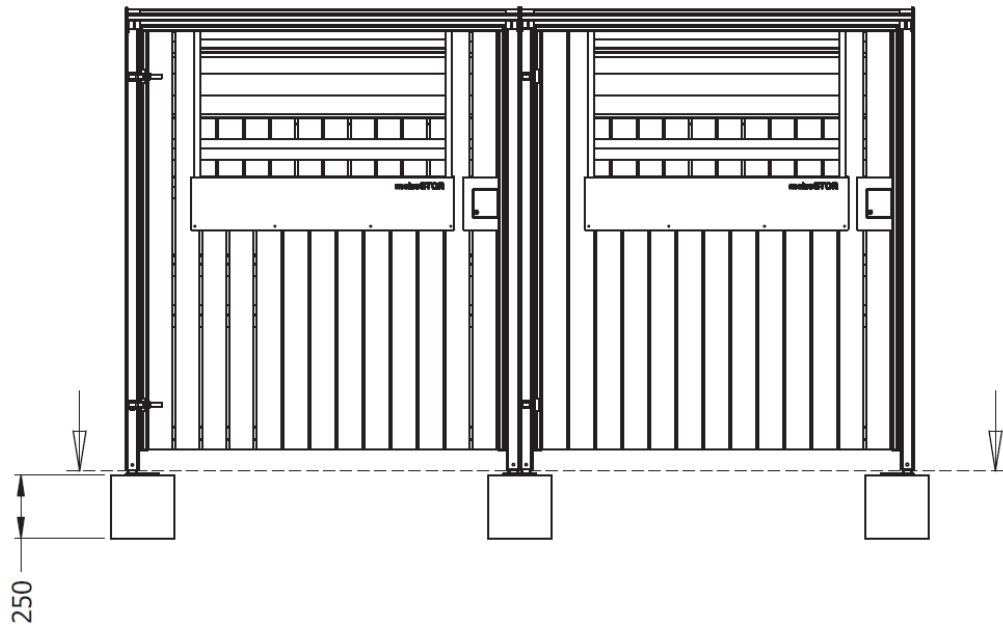


Figure 13: Front Elevation of Proposed Bin Store

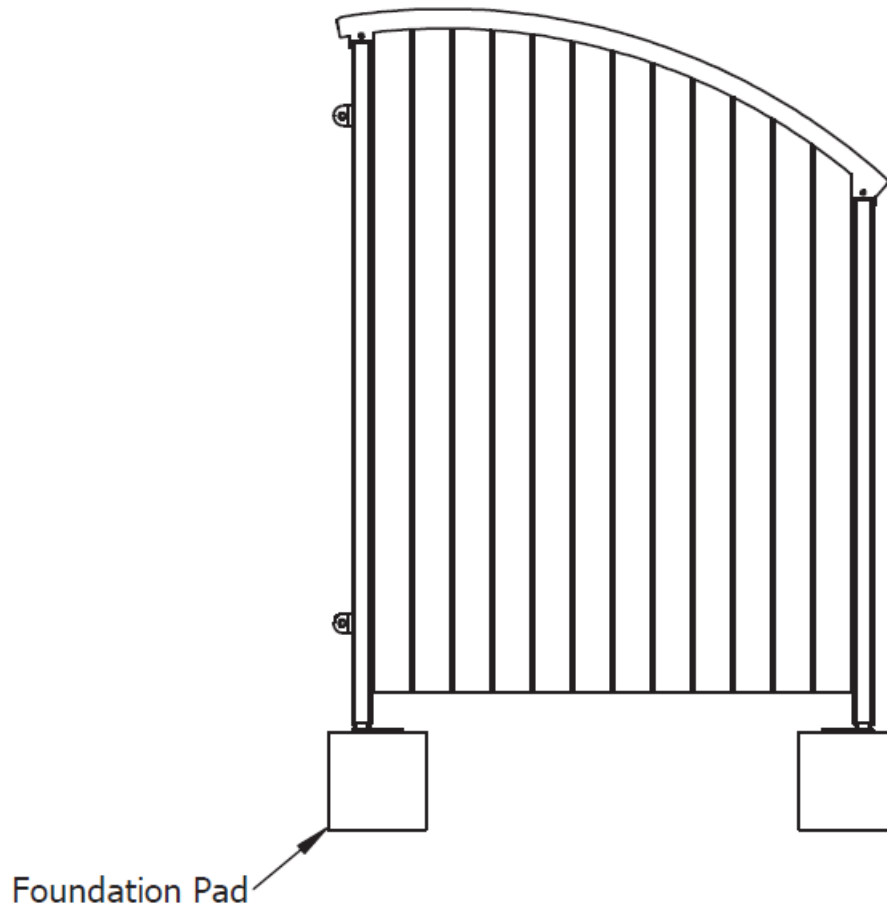


Figure 14: Side Elevation of Proposed Bin Store

Appendix D - Proposed Bin Storage for 72 Brunswick Street

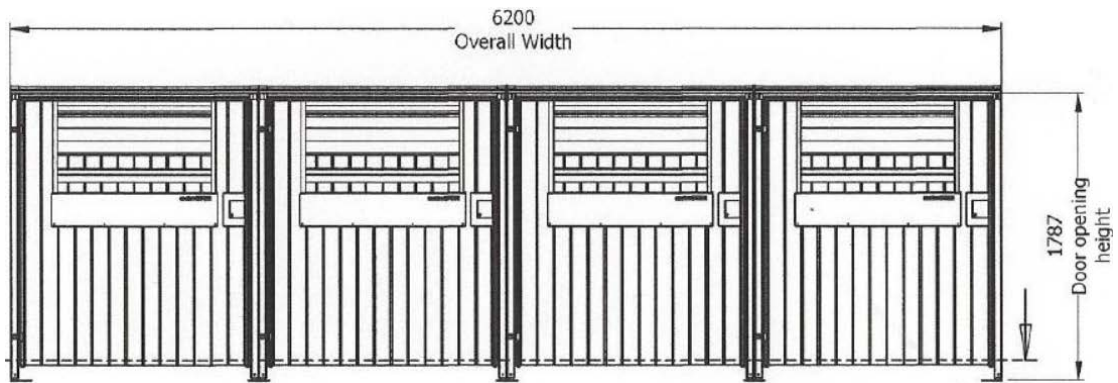


Figure 15: Front elevation of proposed bin store

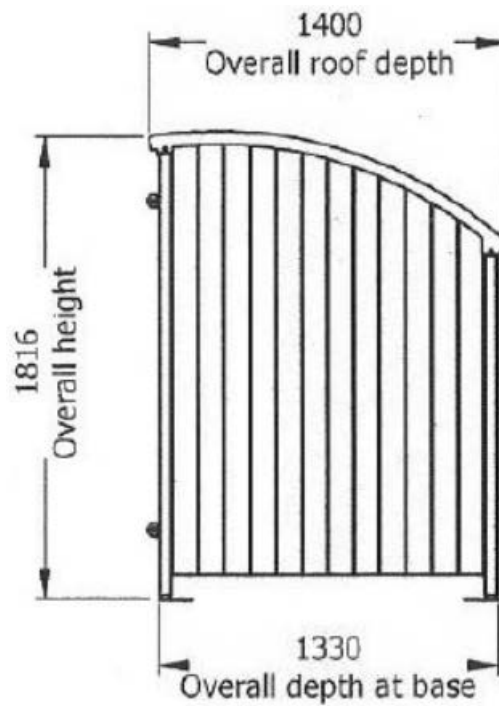


Figure 16: Side elevation of proposed bin store

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 9th January 2019

ITEM NO. 13

Ward: Redlands

Application No.: 180591

Address: Mulberry House, 1a Eldon Road, Reading, RG1 4DJ

Proposal: Demolition of Mulberry House (Class D1) and erection of part 3, part 5 storey building providing 7 (3x1 & 4x2-bed) residential units (Class C3), 5 parking spaces, landscaping and associated works.

Applicant: The Faculty Ltd

Date Valid: 06/04/18

Application target decision date: Originally 01/06/18, but a formal extension of time for the determination of the application has been agreed with the applicant until 23/01/19

26 week date: 03/10/18

RECOMMENDATION

Delegate to Head of Planning, Development and Regulatory Services to (i) GRANT full planning permission subject to completion of a S106 legal agreement or (ii) to REFUSE permission should the legal agreement not be completed by the 11th July 2018 (unless officers on behalf of the Head of Planning, Development and Regulatory Services agree to a later date for completion of the legal agreement). The legal agreement to secure the following:

- Provision of a deferred affordable housing contribution mechanism
- Should the building subsequently be extended / altered (to create further units) or units subdivided then contributions to affordable housing would apply on a cumulative basis.

And the following conditions to include:

1. Time Limit - 3 years
2. Approved plans
3. Pre commencement (barring demolition) details of all external materials (including samples and manufacturers details which demonstrates type, colour, texture and face bond), including: stone, glazing, window frames/cills/surrounds, doors, balustrades, guttering and downpipes and boundary walls/railing/steps
4. Pre-commencement demolition & construction method statement (including noise and dust measures);
5. Pre-occupation implementation of vehicle parking
6. Pre-occupation implementation of cycle parking
7. Pre-occupation implementation of waste storage facilities
8. Pre-occupation submission of a waste management plan
9. Pre-occupation notification of postal addresses (restricting parking permits)
10. No automatic entitlement to parking permits
11. Pre-occupation implementation of approved noise mitigation scheme
12. Construction hours
13. No burning of waste on site
14. Pre-commencement (barring demolition to ground level) hard and soft landscaping details (also including biodiversity enhancements, including integral bird nesting

- and bat roosting opportunities on and around the new building)
15. Implementation of the approved landscaping no later than during the first planting season following the date when the development is ready for occupation
 16. Landscaping maintenance / replacement for a period of 5 years
 17. Arboricultural method statement and tree protection plan to be followed
 18. Pre-occupation provision of obscure glazing and fixed shut windows (up to 1.7m floor to ceiling height) of the north-west elevation windows at third and fourth floor level (secondary windows within bedrooms for Flats 08 & 09).
 19. Only the areas specified as external terraces shall be used for such purposes and no other flat roofed areas shall be used as external terraces without permission from the local planning authority.

Informatives:

1. Positive and Proactive Statement
2. Pre-commencement conditions
3. Terms and conditions
4. Building Control
5. Encroachment
6. Community Infrastructure Levy
7. Highways
8. Parking permits
9. Section 106 Legal Agreement
10. Advice to adhere to approved Arboricultural Method Statement

1. INTRODUCTION

- 1.1 The application site comprises a single storey building and associated car-parking / lawn located on the east side of Eldon Road, close to the junction with Kings Road (to the north). The building is vacant, having most recently been occupied by a dentist. Immediately to the north of the building is Hanover House, a part-five, part-seven storey 'L' shaped building located on the junction of Kings Road and Eldon Road. The primary frontage to Hanover House is on Kings Road, although the vehicular entry point is on Eldon Road, leading to a ground floor car park with exit point onto Eldon Terrace to the south. Hanover House has recently been converted to residential use (through an office prior approval and planning permission solely for the fourth floor).
- 1.2 The application site is located within the Eldon Square Conservation Area. The conservation area appraisal identifies the modern developments on the south side of Kings Road as having a negative impact on the Conservation Area. The appraisal also notes that there is little green space in the Conservation Area. Furthermore, it also states that trees are few and because of their scarcity they make a significant contribution to this urban conservation area's special character and sense of identity.
- 1.3 Eldon Road is designated as an 'Existing or potential treed corridor' in the adopted Borough Tree Strategy and the Borough Council has a commitment to retain and enhance the tree cover along these routes. 1a Eldon Road is located in an area which has been identified in the Tree Strategy as having poor tree cover (10% or less). Objective 6 of the adopted Tree Strategy expects new development to make a positive and sustainable contribution in supporting the objectives of the strategy in enhancing the town's urban environment. Such planting should be used to enhance streets and other public realm as part of planning permissions for all new relevant developments, particularly higher density urban developments. There is a

TPO Mulberry tree on site. Other significant trees on or adjacent to the property (such as those within the boundary of 1 Eldon Road are afforded protection under the Conservation Area legislation.

- 1.4 The site is located outside of the Reading Central Area Action Plan (RCAAP) boundary, although neighbouring Hanover House is located within the RCAAP. The site is within an air quality management area.
- 1.5 This application is being considered at Planning Applications Committee as officers consider the combination of the nature of the proposals in the context of a significant infill site in the Conservation Area and the nature/extent of public consultation responses received.
- 1.6 The location site in relation to the wider urban area is shown below, together with a site photograph and aerial view.



Site Location Plan (not to scale)



Site photograph from Eldon Road



Aerial view looking north towards Kings Road

2. PROPOSALS

- 2.1 Full planning permission is sought for the demolition of the existing single storey dental surgery (Class D1) building known at Mulberry House. Permission is also sought for the erection of a part 3, part 5 storey replacement building, which seeks to provide 7 (3x1 & 4x2-bed) residential units (Class C3). Furthermore, the proposals include 5 vehicular parking spaces at ground level, hard and soft landscaping / boundary treatment works at the front (Eldon Road) of the site, landscaping and associated works.
- 2.2 During the course of the application the vehicular parking arrangements and tree reports have been slightly revised following officer feedback. Some additional details and revisions have also been made to the day/sunlight assessment, including an assessment on the day/sunlight received by the proposed residential units themselves. Furthermore, the on-site affordable housing offer changed during the course of the application. At the outset of the consideration of the application it was proposed to provide one on-site unit and a financial contribution. The applicant later withdrew this offer and instead, owing to scheme viability, submitted a viability appraisal seeking to justify that the scheme could not support the provision of any contribution towards affordable housing.
- 2.3 In terms of the Community Infrastructure Levy (CIL), the applicant duly completed a CIL liability form as part of the submission of this application. The CIL form specifies that the dental surgery last occupied the building in November 2015. As such, it will not have been occupied for six continuous months of the thirty-six previous months when a decision is issued. Accordingly, the existing 117 sqm floorspace cannot be deducted from the final liability. On this basis, the CIL liability is estimated (using the 2019 indexation rate of £148.24 per sqm) on the basis of the 618.96 sqm floorspace of the building to be to be £91,754.63.

3. PLANNING HISTORY

Application site only:

- 3.1 171521/FUL: Demolition of Mulberry House (Class D1) and replacement with soft landscaping (nil use) (amended description). Granted 05/12/17.
- 3.2 180218/FUL: Demolition of existing building (Use Class D1) and erection of 3 and 5 storey building, accommodating 6x1 bed and 3x2 bed flats and parking for 6 cars. Withdrawn by applicant prior to the validation of the application.
- 3.3 180413/APPCON: Discharge of conditions 3 (Demolition Method Statement) and 4 (Soft Landscaping) of permission 171521. Granted 18/04/18.
- 3.4 It is also noted that the application sought pre-application advice in 2017 prior to the submission of the current application.

Neighbouring Hanover House

- 3.5 141343/OPA: Excluding the fourth floor, change of use of building from Class B1(a)(offices) to C3 (dwellinghouses) to comprise up to 80 x 1 bed units and 10 x 2 bedroom units. Prior Approval Notification - Approval 10/10/2014.
- 3.6 150229/FUL: Change of use of fourth floor to residential use (Class C3) to provide 14 residential units and associated works. Granted following completion of s106 legal agreement 23/06/15.
- 3.7 181831/FUL: Removal of external cladding and associated works. Granted 23/11/18.

Neighbouring 1-3 Eldon Road

- 3.8 100102 - Refurbishment of existing buildings and 3 storey rear extension to include 8 x 1 bed flats and 2 x 2 bed flats and 3 car parking spaces. Granted with s106 legal agreement 10/01/11.

4. CONSULTATIONS

i) RBC Transport

- 4.1 Transport Development Control section advises that the site is situated within Zone 2 of the Council's adopted Parking Standards and Design Supplementary Planning Document. This area is well served by public transport and is within 2 kilometres (i.e. walking distance) of Reading Town Centre and Reading Railway Station.
- 4.2 In accordance with the Council's adopted parking standards, the 1 and 2-bedroom flats would both require provision of 1 space per flat, therefore equating to a total provision of 7 off road parking spaces. Plans indicate that 5 parking spaces are to be provided; this therefore falls short of the standards. However, given the proximity of the site to the town centre, the good transport links and the ability to control unauthorised on street parking via the parking restrictions in place in the area and surrounding streets (conditions will stipulate that future occupiers will not be automatically entitled to an on-street parking permit), a reduced provision can be accepted in this instance.
- 4.3 Some initial concerns were raised in relation to the suitability of the parking area from a manoeuvrability perspective (possible instances of there being insufficient widths/depths, causing difficulties for access and egress). Accordingly, during the

course of the application, tracking diagrams have been submitted to illustrate the accessibility and egress of the parking spaces, and following negotiations this is now deemed acceptable.

- 4.4 Details of the bin storage have been illustrated on submitted plans. Bin storage should comply with Manual for Streets and British Standard 5906: 2005 for Waste Management in Buildings to avoid the stationing of service vehicles on the carriageway for excessive periods. In addition to this in accordance with DfT document Manual for Streets refuse vehicles should not be required to reverse more than 12m. Schedule 1, Part H of the Building Regulations 2000 defines locations for the storage and collection of waste. Key points in the approved document to part H include: Residents should not be required to carry waste more than 30m (excluding any vertical distance) to the storage point. The Design and Access Statement states that refuse collection will be the same as Hanover House. This is deemed acceptable by Transport officers.
- 4.5 In accordance with the adopted Parking SPD, the development is required to provide a minimum of 0.5 cycle parking spaces for each dwelling, therefore equating to a total of 4. The submitted plan indicates provision for 10, which exceeds the current standards and is therefore welcomed. A compliance condition will ensure the cycle parking spaces are provided in practice.
- 4.6 Finally, owing to the nature of the proposals and proximity to highways / nearby residential occupiers, a demolition and construction method statement will be secured via pre-commencement condition.
- 4.7 In summary, Transport does not have any objections to this proposal subject to the conditions stated below and informatives in relation to highways works and parking permits:
- Pre-commencement demolition & construction method statement;
 - Pre-occupation implementation of vehicle parking;
 - Pre-occupation implementation of cycle parking;
 - Pre-occupation implementation of bin storage facilities;
 - Pre-occupation notification of postal addresses (restricting parking permits)
 - No automatic entitlement to parking permits

ii) RBC Historic Buildings Consultant

- 4.8 Planning (Listed Buildings and Conservation Areas) Act 1990 - Recent legal cases relating to issues of the setting of listed buildings have established that under section 70(3) the general power to grant planning permission under section 70(1) is expressly subject to sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66(1), in the determination of applications affecting the setting of a Listed Building, states that:

‘in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.’

- 4.9 Conservation Areas - Section 69 of the Act imposes a duty on local planning authorities to designate as Conservation Areas any 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or

enhance'. Recent legal cases have established that under section 70(3) the general power to grant planning permission under section 70(1) is expressly subject to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72(1) provides that the local authority has a statutory duty that:

‘with respect of any building or other land in a conservation area.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.’

- 4.10 At the national level the NPPF sets out a presumption in favour of sustainable development and a key dimension of ‘sustainability’ is defined as ‘...protecting and enhancing our...historic environment’ (DCLG et al, 2012, para 7). The Planning Practice Guide (PPG) (2014) clarifies this additional requirement under ‘What is the main legislative framework for planning and the historic environment?’ where it states that:

In addition to the normal planning framework set out in the Town and Country Planning Act 1990.....the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest.

- 4.11 Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the Local Plan.

- 4.12 In terms of the local policy context, the Borough Council is committed to protecting and where appropriate, enhancing the Borough’s historic environment. This includes ensuring that buildings and features of Local architectural and historic interest (which are not necessarily recognised components of the historic environment) are taken fully into account and safeguarded...” (Policies CS7 & CS33).

- 4.13 The settings of the main Grade II Listed Buildings potentially affected are:

- 196-200, Kings Road, Grade II
- 220 and 222, Kings Road, Grade II
- 2, Eldon Road, Grade II
- 4 and 6, Eldon Road, Grade II
- 8 and 10, Eldon Road, Grade II

- 4.14 The site is also located within the Eldon Square Conservation Area. The Eldon Square Conservation Area Appraisal (designated in 1972 and extended in 1982) (Reading Borough Council, 2007) describes the area as wholly in an urban location which comprises a dense network of streets and roads of terraced, detached and semi-detached buildings. The most distinctive element of the street pattern is Eldon Square, a mid-19th century development of houses surrounding three sides of a small enclosed rectangular public park containing a lawn, trees and shrubs and a statue of the first Marquess of Reading (1860-1935) who was Viceroy of India from 1921-6. Building height is mainly two- or, less commonly, three-storey. Occasion modern, late 20th century office blocks rise to as many as 5 storeys.

- 4.15 The conservation area is divided into three character areas according to building type and period. No. 1a Eldon Road is located within Character Area 1. This

character area is designated to protect the 19th century residential streets, 'characterised by tall detached or semi-detached residences faced with Bath stone and set back from the highway with long rear gardens. More prestigious detached and semi-detached properties in Kings Road, Eldon Road and Eldon Square were built with large rear gardens but increasingly these are being lost to car parking. The conservation area appraisal cites in particular the modern developments on south side of Kings Road as having a negative impact on the conservation area.

- 4.16 Buildings identified as having 'townscape merit' include Nos. 1 and 3 Eldon Road, which are two-and-a-half storey brick semi-detached villas with a narrow frontage and characterful brick boundary wall treatments. Furthermore, the small terraced properties of 1-9 Town Place and 9-17 Eldon Terrace are also identified as buildings of townscape merit too. In addition, Eldon Road is considered the north-south 'spine' of the Conservation Area and is a major route linking King's Road and London Road. The view from the north end of Eldon Road, looking south, is indicated on the conservation area Townscape Appraisal map as an Important View.
- 4.17 Turning to the proposals themselves, the proposed replacement building consists of a modernist design with an angled plan-form, landscaping to provide green areas, and materials consisting of:
- Panelised appearance
 - Light texture, smooth finish and textured panelised stone 'appearance' using Aerolite Stonework which is a '5mm thick natural stone veneer epoxy bonded to a 15mm thick natural granite backer reinforced by a fibreglass matting. The granite backer is profiled to facilitate easy installation on to a horizontal carrier system on its top and bottom edges'.
 - Deep reveals
 - Privacy screens
- 4.18 Assessment - To the southwest of the proposed site are Nos. 1 and 3 Eldon Road and to the west the site is Eldon Road. The area surrounding the site includes a mix of building types and scale which are predominantly in residential and commercial use. Nos. 1 and 3 Eldon Road, to the south of the site are considered to be Buildings of Townscape Merit, as identified in the conservation area appraisal. There are also a number of listed buildings along Eldon Road. Mulberry House, a single storey dentist surgery 1960s building with flat roof and grey brick/pebble finish, does not contribute positively to the conservation area.
- 4.19 The Eldon Square Conservation Area Appraisal notes that green space is sparse in the conservation area. The demolition of this building is considered to be a positive enhancement to the conservation area and the setting of surrounding heritage assets; there is therefore no objection in principle to the loss of this building.
- 4.20 The proposed site is heavily overshadowed by the adjacent Hanover House which is a modern, part six and part seven-storey former office block which has recently been converted to flats. Hanover House is considered to have a negative impact on the character and appearance of the conservation area.
- 4.21 Despite the modern idiom of the building, the proposed mass and height of the replacement building at part five and part three storey block is considered an acceptable height. This height would act as transition between the overly dominant part five/seven storey Hanover House and the more domestic scale of Nos. 1 to 3 Eldon Road. However, good quality materials would be critical to the success of the proposed building to ensure that these materials appear natural and sympathetic to

the character and appearance of the Conservation Area; without samples of the proposed stone-effect Aerolite panels or other finishes this cannot be fully determined. Hence, sample panels will be secured via condition.

- 4.22 It will also be important to ensure that the replacement development incorporates suitable landscaping proposals. It is therefore recommended that conditions are attached to consent to require a scheme of landscaping to ensure a visually harmonious space results (Officer note: See separate observations from Natural Environment and Ecology officers below).
- 4.23 There are no objections in principle to the demolition of this building and the proposed replacement building, subject to conditions requiring agreement of suitable materials and landscaping.

iii) Reading Design Review Panel

4.24 The application was considered by the Reading Design Review Panel (DRP) on 03/05/18. The DRP had previously considered a pre-application proposal at the site in 2017. The DRP comments, following a meeting where the project architect presented the scheme to the panel, were:

- Concept of transitional building between residential and larger buildings such as Hanover House works well and is well considered. Response to context constraints, including smaller scale context is generally successful and the scheme enhances its context.
- Scheme amended (Officer note: in comparison with the pre-application proposal) to address Eldon more directly and to reduce potential overlooking to Hanover House and these changes are welcomed by the panel, along with the internal re-planning and reduction in units, which enables the development to relate with greater sensitivity to the immediate context.
- Heritage context with conservation area and nearby listed buildings is recognised as a key driver in the design approach to the scheme and is welcomed by the panel.
- In terms of the design approach, the design has improved (Officer note: in comparison with the pre-application proposal) to address potential issues of relation to context in terms of height, massing and composition. Design from outside to inside has changed but apartment layout have improved. Question regarding light levels in rooms with inner balconies. Question if a couple more openings could be introduced to improve the amount of fenestration.
- In terms of detailing, the high quality facing materials fitting to the context is welcomed and supported by the panel.
- Regarding sustainability, the use of London Planning housing standards is welcomed by the panel. 450mm fabric first external wall construction is proposed as the approach to carbon reduction combining a lightweight construction system. There is no issue raised by the relevant reports with air quality on the site so proposal is for natural ventilation, with opening windows on two elevations so natural ventilation will work well.
- The retention of TPO trees is welcomed.
- In summary, DRP feels this is a high quality design with good responsive contextual scale and materiality.

iv) RBC Environmental Health - Environmental Protection

4.25 Possible concerns are raised in relation to: noise impact on development; noise transmission between dwellings; air quality impact - increased exposure / new

receptors; air quality impact - increased emissions; construction and demolition phase.

- 4.26 In terms of noise impacts, the noise assessment submitted shows that the recommended standard for internal noise can be met, if the recommendations from the assessment are incorporated into the design. It is therefore recommended that a condition be attached to consent to ensure that the glazing (and ventilation) recommendations of the noise assessment (and air quality assessment, where relevant) will be followed, or that alternative but equally or more effective glazing and ventilation will be used.
- 4.27 With regard to possible noise issues between floors, an informative is recommended with reminds the applicant that sound insulation meeting Building Regulations Approved Document E will be required to be designed/constructed.
- 4.28 Turning to consider air quality matters, the air quality assessment for the year of completion shows that air pollutant levels will be below the national air quality objective levels and therefore no mitigation measures are necessary. Regarding air emissions, it is considered that the proposal would not worsen emission levels in the area.
- 4.29 Finally in terms of construction and demolition matters, concerns are raised about potential noise, dust and bonfires associated with the construction (and demolition) of the proposed development and the possible adverse impact on nearby residents (and businesses). Fires during construction and demolition can impact on air quality and cause harm to residential amenity. Burning of waste on site could be considered to be harmful to the aims of environmental sustainability. As such, noise and dust measures will be incorporated in the CMS recommended by Transport officers, hours of construction works and a stipulation relating to no burning of materials/green waste will be secured via condition. With such conditions secured, no environmental protection concerns are raised with the proposals.

v) RBC Planning Natural Environment

- 4.30 It is noted that when planning permission was granted for the demolition of Mulberry House in 2017 (see paragraph 3.1 above) details in relation to soft landscaping and the impact on nearby trees were secured / secured via condition (subsequently discharged - see paragraph 3.3 above).
- 4.31 In respect of this separate proposal, which seeks both the demolition and redevelopment of the site, a Tree Impacts Assessment, Tree Protection Plan & Method Statement, together with hard/soft landscaping proposals, have been submitted. The report and proposals are considered acceptable in tree and landscape terms. During the course of the application the tree document to updated to incorporate officer comments in relation to the size of roots that should be retained where possible (25mm diameter or above) and a preference for the use of hand tools (rather than machinery) in areas where roots should be retained. Planning conditions are recommended in relation to the implementation of the landscaping works (in accordance with details also secured in full via condition), its maintenance and adherence to the arboricultural method statement.

vi) RBC Ecology Consultant

- 4.32 The existing building is unlikely to have features potentially suitable for use by roosting bats, considering its flat-roofed formation and the low suitability of the

neighbouring habitat for use by foraging or commuting bats. In addition, the surrounding hardstanding and well-maintained amenity grassland are of low wildlife value. As such, it is unlikely that the proposals will adversely affect protected species.

- 4.33 In line with the NPPF and with the biodiversity comments made in the design and access statement, there is an opportunity to improve the site for wildlife and, as such, biodiversity enhancements and a wildlife-friendly landscaping scheme should be incorporated into the development. This should be conditioned. In summary, subject to the condition, there are no objections to this application on ecological grounds.

vii) RBC Valuations / BPS Chartered Surveyors

- 4.34 RBC Valuations instructed BPS (on behalf of the local planning authority) to carry out an independent assessment of the viability submission made during the course of the application. Although BPS queried a number of points within the submission, the overall conclusion (when all factors are taken into account) of the BPS assessment is that the scheme is not able to deliver any affordable housing. This is on the basis of the various appraisals submitted (e.g. one appraisal was for a 100% private housing scheme and all others included various types/amounts of affordable housing) all justifiably demonstrating varying levels of deficit, when all the various inputs are taken into account. BPS also undertook their own appraisal, which also returned a deficit, thereby enabling an evidence-based conclusion to be reached that the scheme cannot viably support an affordable housing contribution. BPS advises that the local planning authority may wish to pursue a review mechanism for deferred payment via Section 106 Legal Agreement.

- 4.35 RBC Valuations are satisfied that BPS has thoroughly assessed the viability submission in this case. In line with the BPS conclusion, RBC Valuations consider it essential for the provision of a deferred affordable housing contribution mechanism to be secured. This is required so that if the viability context changes at the time of the scheme being built/ready for occupation (based upon an updated viability appraisal), an affordable housing contribution (typically a commuted payment) could instead be secured at this future juncture. By incorporating a deferred affordable housing mechanism, which will enable the Council to share in any subsequent uplift in actual value, this is considered the best this scheme can achieve in terms of affordable housing.

viii) RBC Housing

- 4.36 Original comments: Welcome and support the provision of on-site affordable housing, together with a financial contribution (£52,507.40, as per the SPD formula). Concerns however are raised with the proposed on-site unit being 1-bed, given the greatest need in the Borough is for 2-bed units. As such, it is sought for a 2-bed unit to be provided on-site rather than a 1-bed unit.

- 4.37 Updated comments during the application: It is naturally disappointing that the originally proposed on-site unit and financial contribution towards affordable housing has been withdrawn. Owing to this change in position being sought to be justified through a viability submission, it will be for RBC Valuations (in conjunction with BPS) to ascertain whether affordable housing can be provided in this instance.

ix) Reading Conservation Area Advisory Committee, Berkshire Fire and Rescue Services and the Clinical Commissioning Group

4.38 These groups / organisations were all formally consulted on the application but no responses have been received to date. Should responses be received in advance of the committee meeting, they will be reported in an update report.

x) **Public consultation**

4.39 Notification letters were sent to nearby occupiers on Eldon Road, Kings Road and Town Place on 19/04/18. A site notice was erected on 19/04/2018, expiring on 10/05/2018. A press notice was published on 26/04/2018, expiring on 17/05/2018.

4.40 A total of 32 objections have been received from individual addresses, 1 objection has been received from Hanover House Residents Management Company (through two separate submissions) and 1 observation has been received.

4.41 More specifically, the 32 objections from individual addresses comprise: 19 from Hanover House addresses (3 from 1st floor addresses; 4 from 2nd floor; 1 from 3rd floor; 5 from 4th floor; 3 from 5th floor; 2 from 6th floor; 1 from unspecified Hanover House leaseholder); 2 from Town Place addresses (including four separate responses from one of the two Town Place addresses); 1 from Eldon Road; 1 each from: Albany Park Drive, RG41; Branch Road, E14; Clarendon Road, BH18; Egbury, SP11; Marlborough Avenue, RG1; Melford Green, RG4; Morrison Close, RG8; Sherwood Place, RG8; Summer Lane, B19; Woodland Drive, NR13. Below is a summary of the issues raised in these responses:

4.42 Design / heritage:

- The proposed building is far too tall, as well as being shamefully and hideously ugly
- The proposals are insensitive to the historic context of the Conservation Area, and do not contribute to it. These proposals negatively impact on the character of the area as a whole.
- The design does not contribute at all to the conservation area contrary to the council's planning policy guidance. The massing scale and construction materials do not contribute to the surroundings, or heritage.
- Photo image of the proposed building is grossly misleading in terms of the scale of the building relative to Hanover House (it appears much smaller than is planned).
- This proposal encroaches on the conservation area - the green space and the single storey existing building provide a break between the stark brutality of Hanover House and the much treasured old buildings. The proposed building is ugly and looks more like a gun emplacement than a living space and is totally out of keeping with the nearby houses, many of which are grade II listed. This development is very near Eldon Square which is one of Reading's nicest architectural areas. The design could be much more sympathetic to the historical buildings nearby. The building should be no higher than the properties in Eldon Square.
- The conservation areas around Reading need to be preserved and yet again architects ignore them. There were mistakes in the past when buildings like Hanover House were allowed to be built in the immediate vicinity of beautiful historical buildings. The same mistake cannot be made twice. Another response states RBC should protect important parts of the town (conservation areas) from new inappropriate buildings.
- It is simply a modern apartment block.
- Lack of heritage statement to support the design. (Officer note: A Heritage Statement was submitted).

4.43 Amenity

- The proposal has a completely unsatisfactory relationship to adjoining properties, a significant harmful impact in terms of loss of privacy, daylight and sunlight, and an overbearing effect due to bulk and proximity and outlook.
- Loss of daylight and sunlight to nearby occupiers.
- Specific concerns relating to statements within the daylight/sunlight report, in relation to the weight which should be afforded to it owing to caveats within it.
- Lack of assessment on the light for future occupiers (officer note: an updated report was submitted during the application included this); the limited light will put pressure on the trees and landscaping at the site to be reduced for the benefit of future occupiers.
- Considerable overshadowing to Town Place properties in Spring and Summer afternoons and evenings; there are no alternative windows to lessen the impact.
- Overlooking to Town Place properties would be considerably overbearing due to its scale.
- The proposal removes privacy for Town Place residents completely.
- Waste provision is inadequate. The existing area at the road junction is overflowing and unmanaged, attracting vermin. Existing refuse lorries do NOT navigate the ramped approach for Hanover House.
- Loss of views of the conservation area for occupiers on the south elevation of Hanover House.

4.44 Trees and Landscaping:

- Concerned for the retention of the cherry trees along the eastern boundary and the Eldon Road frontage Mulberry, beech and pine trees. These would be threatened by a potential access into and out of the property. These trees should be retained.
- The plans show the trees as providing favourable screening, yet two of the cherry trees on the eastern boundary are relatively small, and one is dying. The ash on the eastern boundary has been shown to be taller than it is. None of the trees on the eastern elevation are in the ownership of the developer and could be removed by another landlord.
- The landscaping proposed in the permission already granted has not been replaced by the new scheme.
- There is no landscaping evident in the proposals.

4.45 Land use

- There are too many flats being built in Reading. Preference for a new doctors surgery or nursery instead.
- UK Government figures of declining house prices and a downturn in housing requirement means there is no sense in RBC considering yet more housing in an already crowded part of Reading.

4.46 Transport

- Insufficient parking - 5x Parking spaces is insufficient for the number of dwellings. The surrounding parking bays are owned by the tenants of Hanover House.
- Users of the existing parking bays (utilising the spaces as Hanover House parking is currently suspended because of a fire risk assessment) would surely be displaced out of the car park by the demolition and construction hoarding, and the area is already oversubscribed.
- Overdevelopment on an already constrained site with current parking problems which will be exasperated with the new development and during the construction phase.

- The usage of the car park on a very minor road is already causing problems with the existing number of users, with an increase in illicit parking and obstruction of the deliveries to the local pubs and businesses.
- There needs to be a limit on the on-road parking permits issued. The local area cannot sustain the number of cars and the council is fully responsible for managing parking appropriately.

4.47 Concerns during the demolition/construction stage:

- Access for demolition is not controlled by the applicant. Surrounding parking spaces owned by the residents of Hanover House.
- The existing property has asbestos within it and there needs to be space for decontamination.
- The demolition and construction would involve access and movement of heavy goods vehicles on narrow and unsuitable roads.
- Level of upheaval will be a nightmare, just as it was when Hanover House was converted.
- Construction would involve utilising a main arterial road used by ambulances.

4.48 Fire safety

- Hanover House parking (beneath the building) is currently suspended because of a fire risk assessment. The risk of fire with reduced separation to an adjacent multi-occupancy building would surely increase the fire risk further.
- Given the above, an objector cannot see how another building could be erected alongside such a potential hazard. (Officer note: during the lifetime of this application, a separate planning permission relating to the removal of the cladding on Hanover House has been separately granted planning permission on 23/11/18, as per paragraph 3.7 above).

4.49 Other matters

- The application contains factually incorrect information regarding the site plan. This shows the site as including the car park area which is outside of the applicant's title.
- The application form lists Paradore (Reading) Ltd as owner when the title deed shows it is The Faculty Limited.
- Full details of the right of access over the car park area owned by Hanover House must be disclosed as part of the planning application process

4.50 The objections from Hanover House Residents Management Company Ltd (which represents the 82 leaseholders and residents of Hanover House, 202 Kings Road) are summarised as follows:

- There is insufficient parking; 5 spaces for 7 units comprising 11 bedrooms.
- The application contains factually incorrect information regarding the site plan. This shows the site as including the car park area which is outside of the applicant's title.
- The application form lists Paradore (Reading) Ltd as owner when the title deed shows it is The Faculty Limited.
- No space for refuse collection. Later comments suggest that the collection of rubbish will take place from Hanover House land (no permission has been sought and it is doubtful that space is available); concerns regarding potential damage to Hanover House parked cars from the bin lorry; and comments that Eldon Terrace is

too narrow for leaving bins out / Mulberry House bins should be emptied via Eldon Road.

- Lack of access from the car park for construction due to the spaces being allocated and individually owned by the residents.

4.51 The observation received from a Hanover House occupier states:

- The challenge will be with parking and sunlight in the apartments.

4.52 Officers note that although some changes were made to the proposals during the course of the application (as summarised at paragraph 2.2 above), there were not of a level or nature which were considered to warrant formal public re-consultation to take place.

5. LEGAL AND PLANNING POLICY CONTEXT

5.1 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.

5.2 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.3 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'.

5.4 The application has been assessed against the following policies:

5.5 National

National Planning Policy Framework (2018)

National Planning Policy Guidance (2014 onwards)

5.6 Reading Borough Local Development Framework - Adopted Core Strategy (2008) (Altered 2015)

CS1 Sustainable Construction and Design

CS2 Waste Minimisation

CS4 Accessibility and the Intensity of Development

CS5 Inclusive Access

CS7 Design and the Public Realm

CS9 Infrastructure, Services, Resources and Amenities

CS14 Provision of housing

CS15 Location, Accessibility, Density and Housing Mix

CS20 Implementation of the Reading Transport Strategy

CS24 Car / Cycle Parking

CS29 Provision of Open Space

CS31 Additional and Existing Community Facilities

CS32 Impacts on Community Facilities

CS33 Protection and Enhancement of the Historic Environment

- CS34 Pollution and Water Resources
- CS36 Biodiversity and Geology
- CS38 Trees, Hedges and Woodlands

5.7 Sites and Detailed Policies Document (2012) (Altered 2015)

- SD1 Presumption in Favour of Sustainable Development
- DM1 Adaptation to Climate Change
- DM3 Infrastructure Planning
- DM4 Safeguarding Amenity
- DM5 Housing Mix
- DM6 Affordable Housing
- DM10 Private and Communal Outdoor Space
- DM12 Access, Traffic and Highway Related Matters
- DM18 Tree Planting
- DM19 Air Quality

5.8 Reading Borough Council Supplementary Planning Documents

- Affordable Housing SPD (2013)
- Revised Parking Standards and Design SPD (2011)
- Revised SPD on Planning Obligations under Section 106 (2015)
- Sustainable Design and Construction SPD (2011)

5.9 Other relevant documentation

- Eldon Square Conservation Area Appraisal (2007)
- Historic England Good Practice Advice in Planning Note 1: Conservation Area Designation, Appraisal and Management (Historic England, 2016)
- Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking (Historic England, 2015a)
- Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Historic England, 2015b)
- Principles of Conservation (Historic England, 2008)
- Guide to the Conservation of Historic Buildings (British Standards Publication BS 7913:2013, 2015)
- Reading Tree Strategy (2010)
- DCLG Technical housing standards - nationally described space standard (2015)
- BRE Site Layout Planning for Daylight and Sunlight - A guide to good practice, 2nd edition (2011)

6. APPRAISAL

6.1 The main issues are considered to be:

- i) Land use principles
- ii) Demolition, scale, appearance, design and effect on heritage assets
- iii) Housing mix and affordable housing
- iv) Quality of accommodation for future occupiers
- v) Amenity for nearby occupiers
- vi) Transport
- vii) Trees, landscaping and ecology
- viii) Sustainability
- ix) Other matters - S106, Pre-commencement conditions, Other matters raised in public consultation responses & Equality

i) Land use principles

- 6.2 The initial land use consideration for this proposal is the loss of the existing dental surgery use at the site. This was recently considered and accepted as part of permission 171521/FUL at the site, which granted the demolition of the existing building and replacement with soft landscaping.
- 6.3 Although the building is presently vacant, it was most recently used as a dental surgery (Class D1). Accordingly, when in use this provided a community use, which Policy CS31 guards against being lost unless it can be clearly demonstrated that there is no longer a need to retain that facility. In addition, Policy CS32 seeks mitigation where development would have an adverse impact in terms of increasing the need for additional community facilities. Furthermore, paragraph 92 of the NPPF 2018 states that decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; and ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community. In the now superseded 2012 version of the NPPF these matters were detailed at paragraph 70.
- 6.4 Therefore, at the time of application 171521/FUL, the applicant submitted a range of information to seek to justify the loss of the existing use at the site. This included information concerning: the 2 year vacancy of the building; all equipment removed; poor state of repair; former dental surgery occupier relocating to 7 Cheapside in the town centre - therefore no loss of a valued facility, as it has merely moved 1 mile. Furthermore, the applicant also submitted a map of other dental practices in the area, suggesting that the local population would continue to have sufficient access to dental practices). The applicant also considers that the building would be unviable for other community uses and specifically another dental use, including due to the building not meeting Clinical Care Group (CCG) standards for access (and it not being viable to upgrade the existing building). The applicant has re-provided this information in support of this application.
- 6.5 It is also noted that the application proposals have been subject to public consultation during the course of the application (see section 4 ix above). Only a single objection has been raised in terms of the use of the site being preferred for a doctors' or nursery use (i.e. continued community use), which is not considered sufficient to resist the proposals within the context of paragraph 70 of the NPPF. It is noted that at the time of application 171521/FUL no objections were raised in this regard.
- 6.6 Within the context of the recent permission at the site, together with the information submitted for this application being considered solely on its own merits, officers consider that the loss of the existing use would not conflict with either local policy or national policy. This is owing to partly the supporting information submitted by the applicant and partly the lack of concerns raised within the public consultation process. As such, the loss of the existing community use is accepted in this specific instance at this particular site.
- 6.7 With the loss of the existing use considered to be established, the principle of residential units at the site is consistent with the broad objectives of Policy CS14 and the wider NPPF. The provision of 7 residential units would assist the Borough in meeting its annual and plan period housing targets, in line with Policy CS14.

ii) **Demolition, scale, appearance, design and effect on heritage assets**

- 6.8 Considering first the demolition of the existing building, this is not considered to contribute positively to the conservation area, as identified by the RBC Heritage Consultant (see section 4ii above) and also concluded at the time of the 2017 permission at the site for demolition and replacement with soft landscaping. Demolition within the conservation area is therefore considered appropriate subject to the proposed replacement building being suitable in design and related terms, as discussed below.
- 6.9 In terms of the scale and massing, this has been subject to thorough and careful consideration by the applicant, as demonstrated during pre-application discussions and at application stage too. The footprint of the building largely follows that which exists at the site at present, with cues in the proposed scale taken from the neighbouring Hanover House and Eldon Road properties, so that the building appears to be transitional in nature between the two, being part five-storey (closest to the up to seven-storey Hanover House) and reducing to three-storey in the area closest to the more domestic scale of Nos. 1-3 Eldon Road. The DRP considers this to work well and be well-considered in responding to the contextual constraints.
- 6.10 Naturally, when compared with the single-storey nature of the existing building, a part three, part five-storey building is acknowledged to represent a significant change in appearance. However, given the prevailing scale and distances between the nearby buildings, this scale is considered suitable, by not seeking to compete with Hanover House, whilst also being respectful of the nearby more domestic scale too. When seen from all nearby vantage points the proposed scale and design approach, although in contrast to the existing site and nearby buildings, is not overwhelming and is instead considered to successfully respond to its context. The various angled forms are considered to assist the quality of accommodation for future occupiers and protect nearby amenity too (as discussed elsewhere), whilst still evidently being a design-led approach in providing visual interest and creating a distinct character and identity of its own. The proposal also satisfactorily presents itself to Eldon Road, despite the significant set back from the highway.
- 6.11 With regard to the detailed design of the proposal, it is considered that the proposal would represent a welcomed and high quality addition to this part of the conservation area. Although undoubtedly contemporary in form, both officers and members of the DRP (see Section 4iii above) consider that the facing materials, primarily an Aerolite stonework, to be fitting to the context (a modern interpretation of the historic context), and if executed as shown, would certainly enhance the site and wider conservation area too. As well as the proposed materials to the building itself, there is continuity proposed in the boundary treatment / entrance way off Eldon Road, with a matching tone shown. This is another welcomed addition to the scheme, demonstrating that a comprehensive and consistent approach to the entirety of the site is proposed. Large window openings, decreasing in width on the upper floors, with deep reveals in all instances are consistent with the general design approach. The glass finish of the balustrades ensures that these are lightweight additions. In this case the quality and finished appearance of the materials, such as the primary Aerolite stonework and aluminium framed windows will be especially important in the overall success of the design approach. Accordingly, both samples and manufacturer details of all facing materials will be secured via pre-commencement condition. By securing this

condition it will ensure the high design quality envisaged at application stage is achieved in practice.

- 6.12 Turning to consider the impact of the proposals on nearby heritage assets, as the RBC Heritage Consultant's comments above at section 4ii) make clear, this is a sensitive location with the Eldon Square Conservation Area. Owing to a combination of the transitional height proposed, the significant set back from the public realm and the high quality finished appearance envisaged (with a condition ensuring these materials appear natural and sympathetic to the character and appearance of the conservation area), it is considered that the proposal has been carefully and cleverly designed to both preserve and enhance the setting of surrounding heritage assets (including the listed buildings outlined at paragraph 4.13 above), whilst also enhancing the character and appearance of the wider conservation area. Together with the proposed landscaping being secured via condition (as discussed elsewhere), both the RBC Heritage Consultant and members of the DRP consider that the proposals are acceptable in this regard. Hence, in summary officers fully support the design approach taken, with this being considered a planning benefit in the overall planning balance for the scheme.

iii) Housing mix and affordable housing

- 6.13 In relation to the mix of units proposed, the scheme seeks to create 3x1-bed and 4x2-bed units. Policies CS15 and DM5 seek for proposals to provide an appropriate range of housing opportunities in terms of a mix of housing types, sizes and tenures, with the DM5 stipulation of at least 50% 3-bed units only applying in 10+ unit schemes (with this scheme below that number of units). With the policy context in mind it is considered that the proposed mix is suitable in this instance, providing a combination of smaller (1-bed) and larger (2-bed) units.
- 6.14 Moving onto consider affordable housing matters, in line with Policy DM6 a 20% on site provision is required. In a 7 unit scheme this equates to 1.4 units. At the outset of the application the applicant was proposing a fully policy compliant contribution of 1 on-site unit (a 1-bed socially-rented unit) and the remaining 0.4 of a unit being in the form of a financial contribution (amounting to £52,507.40, as per the SPD formula) towards affordable housing elsewhere in the Borough. RBC Housing feedback was that a 2-bed on-site unit would be preferred instead of the one-bed unit offered, in order to help meet the greatest housing need in the Borough, with the financial contribution reducing accordingly too. Following on from this officer request, the applicant undertook a full cost assessment of the scheme and subsequently withdrew the entirety of the original affordable housing offer.
- 6.15 Instead, the applicant submitted a financial viability assessment to seek to justify a nil contribution towards affordable housing. In making this change in approach, the agent outlined that, *"Having already bought the site, the applicant still wishes to bring this development forward in order to minimise potential loses and take risk on it as a longer term investment, but the loses would be just too great for this to be possible if affordable housing is applied"*.
- 6.16 Accordingly, this viability appraisal has been reviewed on behalf of the local planning authority by BPS Chartered Surveyors. As outlined at section 4 vii) above, this has been thoroughly reviewed and it has been concluded that the scheme cannot viably support an affordable housing contribution. Although this is disappointing to officers (especially in the context of the original offer), it is

evident that the applicant has clearly demonstrated the circumstances for justifying a lower (in this case nil) affordable housing contribution. Policy DM6 allows for this and there is consequently considered by officers to be no scope to secure any affordable housing contribution on the basis of the current projected viabilities associated with the development. However, as also detailed at section 4 vii) above, both BPS and RBC Valuations consider there to be scope to secure a deferred affordable housing mechanism, which would enable the Council to share in any subsequent uplift in actual value. This will be secured within the s106 Legal Agreement.

- 6.17 Moreover, there is a further s106 legal agreement obligation which is considered to be necessary and could have knock-on affordable housing implications. A head of term is considered necessary to specify that should the building subsequently be extended / altered (to create further units) or units subdivided (e.g. a 2-bed unit becomes 2 separate 1-bed units) then contributions to affordable housing would apply on a cumulative basis (rather than individual application basis). This is also necessary in part due as the number of units proposed being close to 10, whereby the affordable housing contribution changes from 20% to 30% and conversions resulting in a change of use under 10 units (as could be proposed at a later date) do not attract contributions (as per the application of Policy DM6).
- 6.18 Put another way, officers consider it appropriate to secure via legal agreement a mechanism to ensure that each future part of any future proposal at the site makes an appropriate contribution to affordable housing, having regard to the contribution that would arise from a single assessment across all components. Typically any additional contribution would take the form of a financial contribution to affordable housing elsewhere in the Borough, given the likely difficulties of incorporating further on-site provision in this instance. It is noted that such an approach was sought and considered appropriate on appeal by the Planning Inspectorate elsewhere in the Borough in June 2018 (see Ref 170251 at City Wall House, 26 West St Appeal Ref: APP/E0345/W/17/3188270).
- 6.19 In respect of both of the obligations proposed by your officers, the agent has confirmed that the applicant is agreeable to a S106 Legal Agreement in these regards. With these two elements secured via legal agreement it is considered that, although accepting that no on-site / off-site affordable housing provision or financial contribution is provided at this stage, this has been shown to due to the specific viability conditions in this particular case. Policy DM6 allows for such scenarios and scheme viability has been thoroughly tested by external consultants BPS on behalf of the local planning authority. Consequently, on balance, this is considered the best possible contribution towards affordable housing in this particular case. The proposal is thus considered to be policy compliant in this regard.

iv) Quality of accommodation

- 6.20 The internal layout of the proposed units are arranged so as to create an overall high standard of living accommodation for future occupiers. Although the shape and form of the building has evidently been influenced by the close proximity of nearby properties, the internal layout has been devised as efficiently and effectively as possible with these constraints in mind. Each unit is either dual or triple aspect, with suitable sized rooms and complemented with inset balconies at first and second floor and a projecting balcony for the third floor unit. Storage spaces are provided within each unit, together with dedicated cycle/waste facilities at ground floor level. Shared external amenity space is provided within communal gardens off the Eldon Road frontage, which is welcomed in principle (an

open shared space is shown, as well as a more enclosed space). An overshadowing assessment has been submitted which demonstrates that this space will have sufficient access to direct sunlight, making this a potentially valuable shared space for future occupiers.

- 6.21 The units have also been designed so as to reduce as far as practicably possible instances of overlooking and loss of privacy from existing nearby occupiers. Through the use of careful siting and orientation, direct overlooking from existing nearby occupiers is minimised. It is noted that on the north-west elevation a secondary window serving bedrooms within the third and fourth floor flats would be 8m from windows at Hanover House. As such, these two windows will be secured via condition as obscurely glazed/fixed shut up to 1.7m. This is not considered to unduly compromise these bedrooms (e.g. in terms of access to light), which are primarily served by a west-facing window already. Although there are other instances where there is a closer relationship than the 20m referenced by Policy DM4 (e.g. north elevation towards Hanover House is 17m and there is a diagonal distance of 12.5m from the south elevation towards 1 Eldon Road - as such, overlooking would be at an acute angle rather than direct), it is considered that these relatively minor shortfalls would not unduly compromise the overall quality of the accommodation for future occupiers.
- 6.22 In terms of daylight matters, during the course of the application the report has been updated to assess this for future occupiers. It is shown that each room will comfortably meet the recognised average daylight factor (ADF) test, despite some rooms incorporating recessed windows. This is primarily owing to the accommodation being at first floor level and above and many of the rooms including more than one window and these being orientated in different directions. Accordingly, it is considered that the proposals have satisfactorily demonstrated that they provide suitable levels of light for future occupiers. Related to this, future occupiers are considered to receive ample outlook from the proposed units. This is partly thanks to the generously sized windows and partly due to the double/triple aspect provided for the flats in many instances.
- 6.23 As outlined in section 4iv) above, it has been demonstrated through the submission of reports that no issues are raised in relation to noise and air quality matters. The provision of parking (cycle and vehicular) has been demonstrated to Transport officers to be satisfactory, with suitable waste and recycling provision too. However, in relation to waste and recycling, the submission is not explicit in precisely how this will work in practice in terms of collections and management. Given the relative distance of the store to both Eldon Road and Eldon Terrace, together with the closer context of the Hanover House car parking spaces, it is considered necessary to secure a pre-occupation waste management plan, via condition. In overall terms it is therefore considered that the proposals comply with policies DM4 and CS34 (in particular) and provide a suitable standard of accommodation for future occupiers.

v) Amenity for nearby occupiers

- 6.24 Given the footprint and use of the proposed building in relation to nearby properties (in particular Hanover House, Town Place and 1&3 Eldon Road), the safeguarding of amenity for nearby occupiers is particularly pertinent in this case and has been carefully considered. It is evident that the design and internal layout of the proposed units has been influenced by the existing context and various steps have been taken to minimise the impact for existing occupiers.

- 6.25 Considering first privacy and overlooking matters, it is noted that the building is within 20m (the back to back distance between dwellings referenced within Policy DM4 as usually being appropriate, albeit there is also reference in the supporting text that individual site circumstances may enable dwellings to be closer without a detrimental effect on privacy) of the existing nearby properties. More specifically, the north-south distance between the building and Hanover House is 17m, with a diagonal north-west elevation of the proposed building within 8m of south-east corner of the Eldon Road fronting element of Hanover House. To the east there is a minimum 19.5m distance to the front façade of the Town Place properties (albeit the distance to the front amenity spaces associated with these properties is less, starting at 9m). To the south-west of the proposed building, there is a diagonal distance of 12m towards the rear elevation of 1 Eldon Road at ground to second floor level and 15m at third floor level.
- 6.26 In light of these distances, a number of steps have been taken in the internal layout of the building to minimise detrimental effects. First, the stair and lift area is proposed in the north-east corner of the proposed building, in the closest point to the south side of the Hanover House block which fronts Kings Road and in line with Nos. 7 & 9 Town Place. Although windows are proposed at this point, they are non-habitable and thereby not significantly harmful to nearby occupiers. Accordingly, on the north elevation of the proposed building there is a single bedroom window at first to fourth floor level facing Hanover House, with an internal window to window distance of 17m. Owing to the relatively small number of windows and the minor shortfall of the DM4 distance, this is not considered to result in a significantly detrimental impact for existing/future occupiers of these Hanover House occupiers.
- 6.27 On the angled north-west elevation there are no windows at ground to second floor level, with a single window at third and fourth floor level. As outlined in the quality of accommodation section above, these windows (secondary windows within bedrooms) will be secured via condition to be obscure glazed/fixed shut up to 1.7m. On the west elevation recessed balconies are proposed at first and second floor level, together with living room and bedroom windows at all floors. This elevation is considered most appropriate for such rooms, as any loss of privacy to Hanover House units would only be at acute angles, thereby sufficiently mitigating the detrimental impact.
- 6.28 To the south-west the form of the building is again angled away from boundary with No's 1 & 3 Eldon Road, together with a significant setback of the building as a whole above second floor level (thereby limiting the mass of the element to three floors). The openings are intentionally narrowed to reduce, to an appropriate level, opportunities for overlooking/loss of privacy, which is also further reduced by the existing vegetation cover. A third floor projecting terrace is proposed, but this is well back from the closest element below towards the Eldon Road properties and is limited in size. Therefore, on balance, the terrace is considered suitable, with a condition recommended which limits terraces to only areas shown on the plans. Accordingly, no other flat roof area (e.g. the remaining area above the three-storey element and the roof of the five-storey element) will be utilised as a terrace (thereby protecting nearby occupiers from overlooking/loss of privacy and possible noise and disturbance too) without separate permission from the local planning authority.
- 6.29 To the south, this elevation includes bedroom/living room windows and recessed terrace spaces at first/second floor level and living rooms on the substantially setback third and fourth floors. This elevation is less sensitive to overlooking,

given it faces directly towards the Hanover House car park, with views towards Town Place and 1&3 Eldon Road properties only possible at acute angles. Accordingly, the window openings are generally larger (for the benefit of future occupiers) and no significantly adverse privacy/overlooking issues are envisaged at this specific point.

- 6.30 To the south-east and east, as already mentioned the window to window distance to Town Place properties is 19.5m, marginally below the 20m distance referenced in the supporting text to Policy DM4. However, the distance to the front amenity spaces associated with the Town Place properties is less (minimum 9.5m), while it is also noted that there is a degree of vegetation cover as well in the intervening area. Although numerous windows are proposed at first (8 windows) and second (6 windows) floor level on the proposed east elevation, only three of these windows at each floor serve habitable rooms (the others serve en-suites / bathrooms / refuge or staircases). Given the distances involved and the prevailing context, this relationship is not considered so significantly detrimental to the living environment of Town Place occupiers to warrant refusal of the application on this basis. At third and fourth floor level the building is intentionally angled away from the Town Place properties (in a south-east direction) to protect the amenity of nearby occupiers. Hence, to conclude on privacy and overlooking matters, although there are some shortfalls, the various steps the applicant has taken and the conditions recommended means in overall terms the impact will not be significantly detrimental.
- 6.31 In respect of visual dominance, outlook and overbearing matters, it is acknowledged that for existing nearby occupiers, the context will undoubtedly change as a result of the proposed development. However, the proposals include a number of angled and stepped in elements which have been incorporated partly to ensure these impacts are not significantly detrimental. In particular, the breaking down of the mass from five to three-storeys is significantly in helping maintain an adequate level of outlook for nearby occupiers, whilst not being so visually dominating or overbearing to warrant the refusal of the application as a whole on this basis.
- 6.32 Turning to consider day/sunlight and overshadowing matters, a full assessment has been submitted which follows the established BRE methodology. It is shown the all Town Place and Eldon Road properties would pass the recognised vertical sky component (VSC) daylight test, thereby sufficiently demonstrated that although there would be a reduction in daylight levels, the level of reduction would be within the prescribed BRE levels. In terms of daylight to Hanover House units, it has been demonstrated that 8 windows (of the 70 tested) would fail the VSC test (6 of these would be at first floor level on the inner-corner east/south elevations facing the application site), but these would comfortably pass the average daylight factor (ADF) daylight test. Accordingly, it is considered by officers that the extent of harm is not significant enough to resist the proposed development on these grounds.
- 6.33 In relation to sunlight matters, in line with the BRE guidance, only windows facing within 90° of due south are required to be assessed. Accordingly a sunlight assessment of 4-9 Town Place and 1 Eldon Road was not required or submitted. In terms of Hanover House, the assessment shows that six windows would not comply with the Annual Probable Sunlight Hours (APSH) sunlight test, with these being positioned on the east elevation of the block fronting Eldon Road. This includes the dual aspect (with the southern elevation) corner units at first, second and third floor level. These units are shown to receive suitable access to sunlight from

the south, downplaying the overall impact to these three units. As such, given the small number of deficiencies below the guidelines, the loss of sunlight is not considered to cause an overall significant detrimental impact to the living environment of existing Hanover House residential properties to warrant a sustainable reason for the refusal of the scheme as a whole, when applying a critical planning balance of all material considerations.

- 6.34 In terms of overshadowing to gardens and outdoor amenity space, the BRE Spring Equinox assessment has been undertaken. For completeness a Summer and Winter Equinox assessment has been undertaken too. The established Spring assessment demonstrates that the only noticeable change will be in the late afternoon for 7-9 Town Place and 220 Kings Road (not in residential use), meaning in overall terms there will not be a significantly harmful prolonged impact to the amenity space of any existing nearby occupier.
- 6.35 In terms of other amenity based matters (noise and disturbance, dust and fumes and crime and safety), consistent with the quality of accommodation section above, the proposals are considered appropriate in these regards subject to a series of conditions. In particular, the public consultation responses have raised concerns regarding disturbance during the construction period, which will be suitably managed by a pre-commencement demolition and construction method statement. Furthermore, the inclusion of a waste management plan is also partly to protect the amenity of nearby occupiers as well as being for the benefit of future occupiers too.
- 6.36 In overall terms the proposals are not considered to cause a significant detrimental impact to the living environment of existing residential properties or wider users of the area. The proposals are therefore considered to comply with policies DM4 and CS34 in particular.

vi) Transport

- 6.37 In line with section 4i) above, in overall terms from a transport perspective the proposals are considered to be acceptable, subject to a number of conditions. This includes conditions relating to future occupiers having no automatic entitlement to on-street parking permits (downplaying any increase the 'parking stress' in the local area) and a demolition and construction method statement. Furthermore, the vehicle parking, bin storage and cycle parking facilities are recommended to be implemented prior to first occupation. Possible issues in relation to misuse of off-street parking spaces at Hanover House are a private matter between landowners.

vii) Trees, landscaping and ecology

- 6.38 As per sections 4v) and 4vi) above, the proposals are considered appropriate in terms of not harming existing trees / habitats on or nearby the site. Meanwhile the proposals will also create a suitable level of hard/soft landscaping in the proposed scheme, including biodiversity enhancements and a wildlife-friendly landscaping scheme to the front of the site. With these elements being secured in full via condition, the proposals are considered appropriate in these regards, complying with policies CS7, CS36 and CS38.

viii) Sustainability

- 6.39 Although a formal code for sustainable homes pre-assessment is no longer required (as a result of this being withdrawn by the Government on 27/03/2015) a sustainability statement has been submitted. This covers a variety of sustainability related matters, indicating that the scheme will, for example, incorporate the use of water efficient fittings and equipment, comply with building regulations part L in terms of reducing carbon emissions and will aim to reduce waste during the demolition/construction process. Such measures, together with the air quality report, noise assessment, landscaping and cycle provisions of the scheme means it is considered that the proposals comply with policies CS1 and DM1.

ix) Other matters

Section 106 Legal Agreement

- 6.40 Policies CS9 and DM3 allow for necessary contributions to be secured to ensure that the impacts of a scheme are properly mitigated. It is considered that the heads of terms in relation to affordable housing, as referenced above, would comply with the National Planning Policy Framework and Community Infrastructure Levy (CIL) in that it would be: i) necessary to make the development acceptable in planning terms, ii) directly related to the development and iii) fairly and reasonably related in scale and kind to the development.

Pre-commencement conditions

- 6.41 In line with section 100ZA(5) of the Town and Country Planning Act (as amended) discussions have been undertaken with the applicant regarding pre-commencement conditions. The applicant formally agreed to a pre-commencement condition (relating to a demolition and construction management plan) and two pre-commencement - barring demolition - conditions (relating to materials and hard/soft landscaping, including ecological enhancements) via return email on 28/11/18.

Other matters raised in public consultation responses

- 6.42 As per section 4x), a variety of matters have been raised in public consultation responses. A response to the vast majority of these matters has already been made in this appraisal. There are however some issues which haven't as yet, and hence responses are provided below.
- 6.43 With regard to the provision of this building adding to on-going fire risks associated with neighbouring Hanover House, it is noted that fire safety is not a material planning consideration. There is no reason to suggest the proposal would itself increase the fire risk to a wholly separate nearby building, providing the proposal is carried out in accordance with any planning conditions and all other separate requirements. Furthermore, during the lifetime of this application, a separate planning permission relating to the removal of the cladding on Hanover House has been separately granted planning permission (on 23/11/18, as per paragraph 3.7 above).
- 6.44 In terms of the application site being incorrect (including parking areas outside the applicant's title) and incorrect information regarding the title deed and ownership of land, this has been discussed with the agent of the applicant. The agent has reiterated that the correct procedures have been following (Certificate B / notice served) and that the area where building is proposed is wholly owned by The

Faculty Ltd, and the company has unfettered legal right of way on foot with and without vehicles over the whole of the Hanover House car park.

Equality

- 6.45 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. It is considered that there is no indication or evidence that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular application.

7. CONCLUSION

- 7.1 In overall terms it is considered that the loss of the existing use has been justified and the provision of 7 residential units would assist the Borough in meeting its annual and plan period housing targets. Furthermore, from a design perspective the proposal represents a welcomed and high quality addition which would enhance the character and appearance of the conservation area and preserve/enhance the setting of nearby heritage assets. The quality of accommodation is suitable for future occupiers, while significant steps have been incorporated to ensure the proposals do not cause a significant detrimental impact to the living environment of existing residential properties, despite some acknowledged shortfalls. In addition, the lack of any contribution towards affordable housing at this stage is disappointing, but this has been evidenced and justified through a viability submission. Instead officers have negotiated a deferred affordable housing mechanism and a further requirement for affordable housing being applied on a cumulative basis should future proposals seek to subdivide or extend the building to create further residential units. Therefore, in overall terms, when applying a critical planning balance, the merits are considered to outweigh the shortfalls of the proposals.
- 7.2 The proposals are therefore considered to be acceptable within the context of national and local planning policies, as detailed in the appraisal above. As such, full planning permission is recommended for approval, subject to the recommended conditions and completion of the S106 Legal Agreement.

Drawings / documents to be referenced on the decision notice:

- 186-SK-01 Existing Plan, as received 06/04/18
- 186-D-00 Site Location Plan & Block Plan, as received 06/04/18
- 186-D-04 Site Roof Plan, as received 06/04/18
- 186-D-05 - Rev C Site Plan, as received 27/06/18
- 186-D-06 First and Second Floor Plan, as received 06/04/18
- 186-D-07 Third and Fourth Floor Plan, as received 06/04/18
- 186-D-10 Illustrative technical section, as received 06/04/18
- 186-D-11 Sections AA, as received 06/04/18
- 186-D-12 Sections BB, as received 06/04/18
- 186-D-13 Proposed Elevations, as received 06/04/18
- 186-D-13A Proposed Elevations, as received 23/04/18 (Proposed Elevation BB - No Landscape)
- 186-D-14 Proposed Elevations, as received 06/04/18

Tree impacts assessment, tree protection plan and method statement by David Archer Associates Ref: OB Architecture 1a Eldon Road, Reading DAA AIR TPP & AMS 02A June 2018, dated June 2018, as received 11/06/18

Other documents submitted:

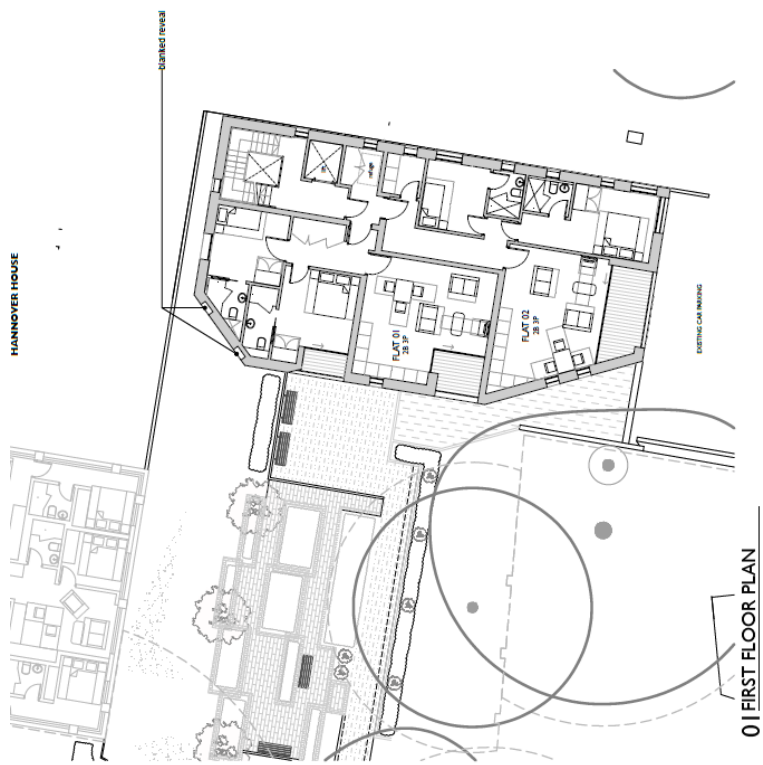
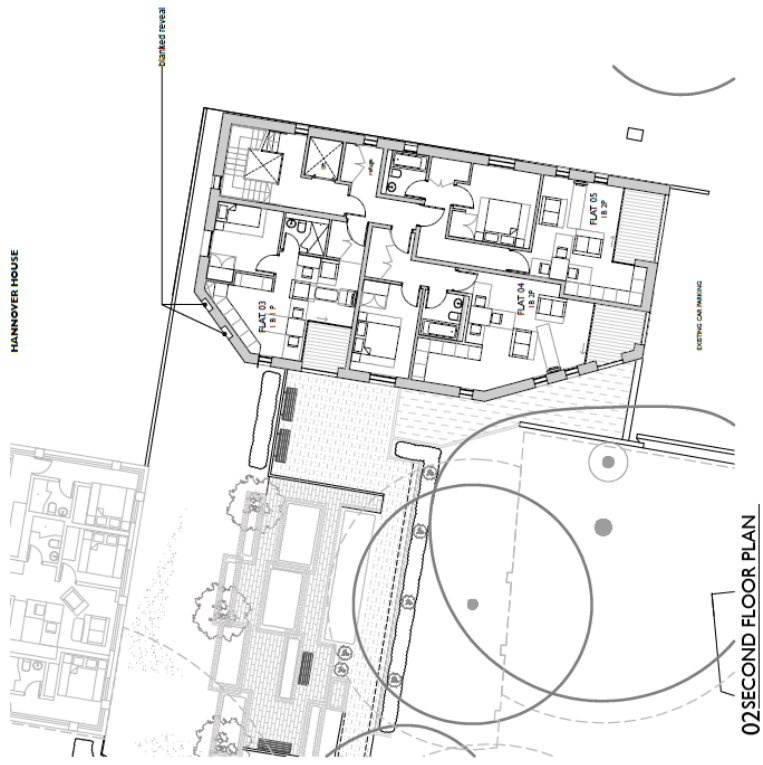
186-D-01 Existing Site Photos, as received 06/04/18
186-D-02 Concept-Form Development, as received 06/04/18
186-D-03 Massing-Form Development, as received 06/04/18
186-D-08 Influencing Precedent, as received 06/04/18
186-D-09 Materiality + Appearance, as received 06/04/18
186-D-15 Visual 1, as received 06/04/18
186-D-16 Visual 2, as received 06/04/18
186-SK-02 Existing Building Photographs, as received 06/04/18
Air Quality Assessment by Aether Ref AQ_assessment/2017/Eldon_Road V1, dated 22/09/17, as received 06/04/18
Affordable Housing Statement by Atlas Planning Group dated March 2018, as received 06/04/18
CIL Evidence (x6 pages), as received 06/04/18
Heritage Statement by Atlas Planning Group dated January 2018, as received 06/04/18
Environmental Noise Impact Assessment by Impact Acoustics Ref IMP5184-1 v1.0 dated September 2017, as received 06/04/18
Design and Access Statement by OB Architecture, dated March 2018, as received 06/04/18
Planning Statement by Atlas Planning Group dated April 2018, as received 06/04/18
Daylight, Sunlight & Overshadowing Impact Assessment by Hawkins Environmental Ref H2536 V3, dated 10/07/18, as received 12/07/18
Sustainability Statement by Atlas Planning Group dated February 2018, as received 06/04/18
Transport Statement by Atlas Planning Group dated March 2018, as received 08/06/18
Response to neighbour representations by Atlas Planning Group dated May 2018, as received 31/05/18
Email 'RE: Mulberry House, 1a Eldon Rd, Reading (180591)' from Atlas Planning Group, dated and received 28/11/18
Mulberry House, 1a Eldon Road, Reading - Swept Path Analysis, as received 27/06/18

Information submitted on a private and confidential basis:

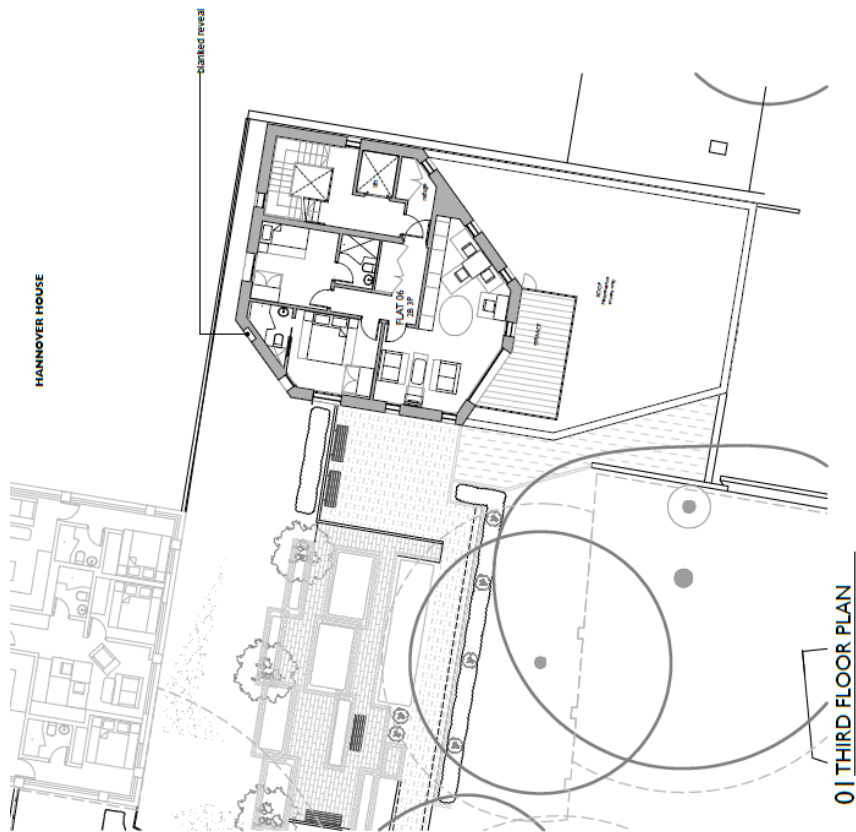
Development Viability Report by WP Housing, dated July 2018, as received 24/07/18
Note from Haslams dated 14/08/18, as received 17/08/18
Letter 'Independent Viability Review by BPS' from WP Housing, dated 03/12/18, as received 04/12/18

Case Officer: Jonathan Markwell

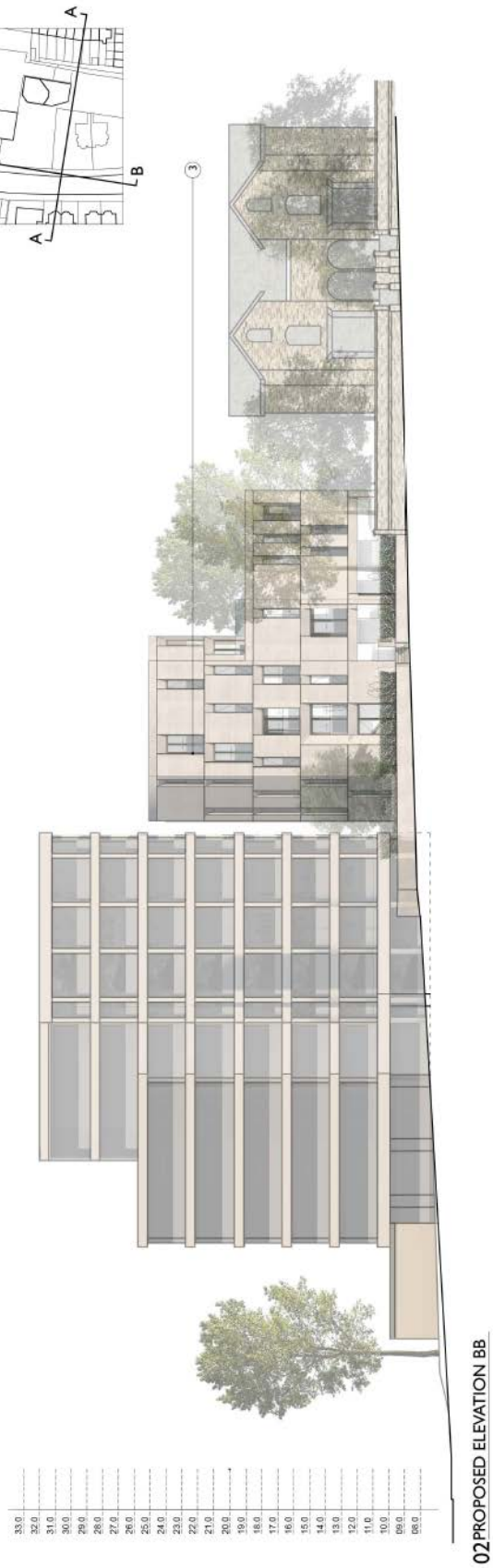
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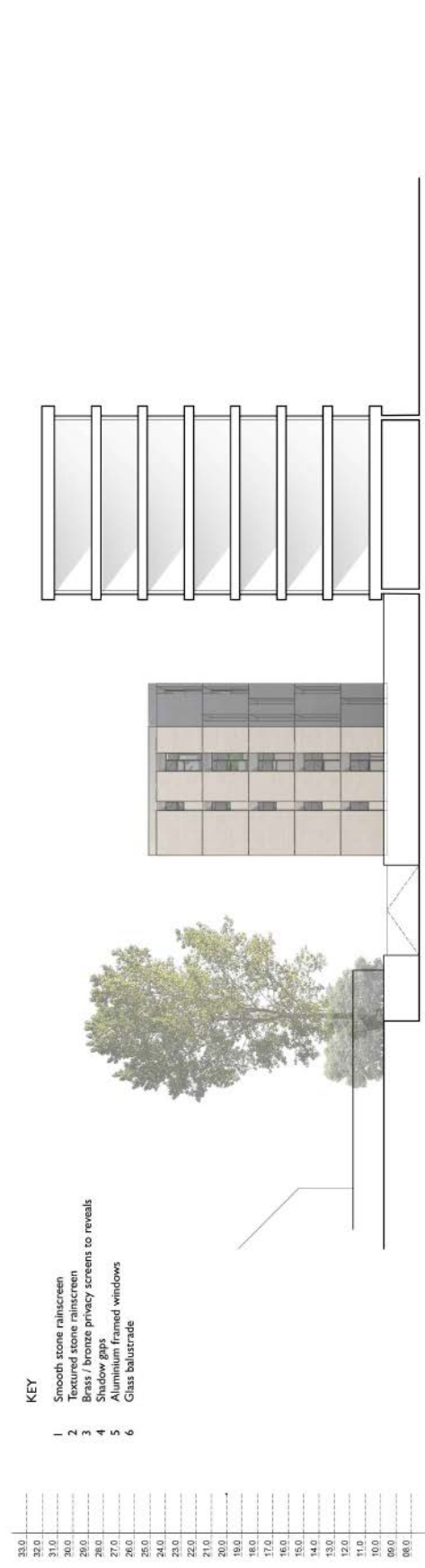
Proposed First and Second Floor Plans



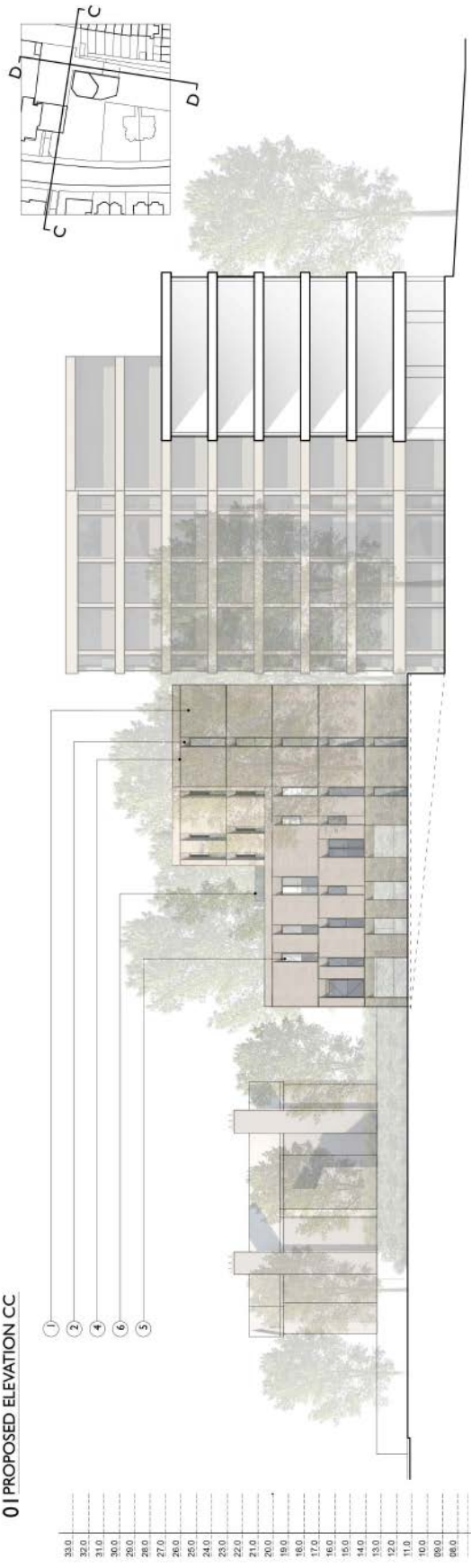
Proposed Third and Fourth Floor Plans



Proposed South and West Elevation Plans



01 PROPOSED ELEVATION CC



Proposed North and East Elevation Plans



Existing and Proposed Section looking north



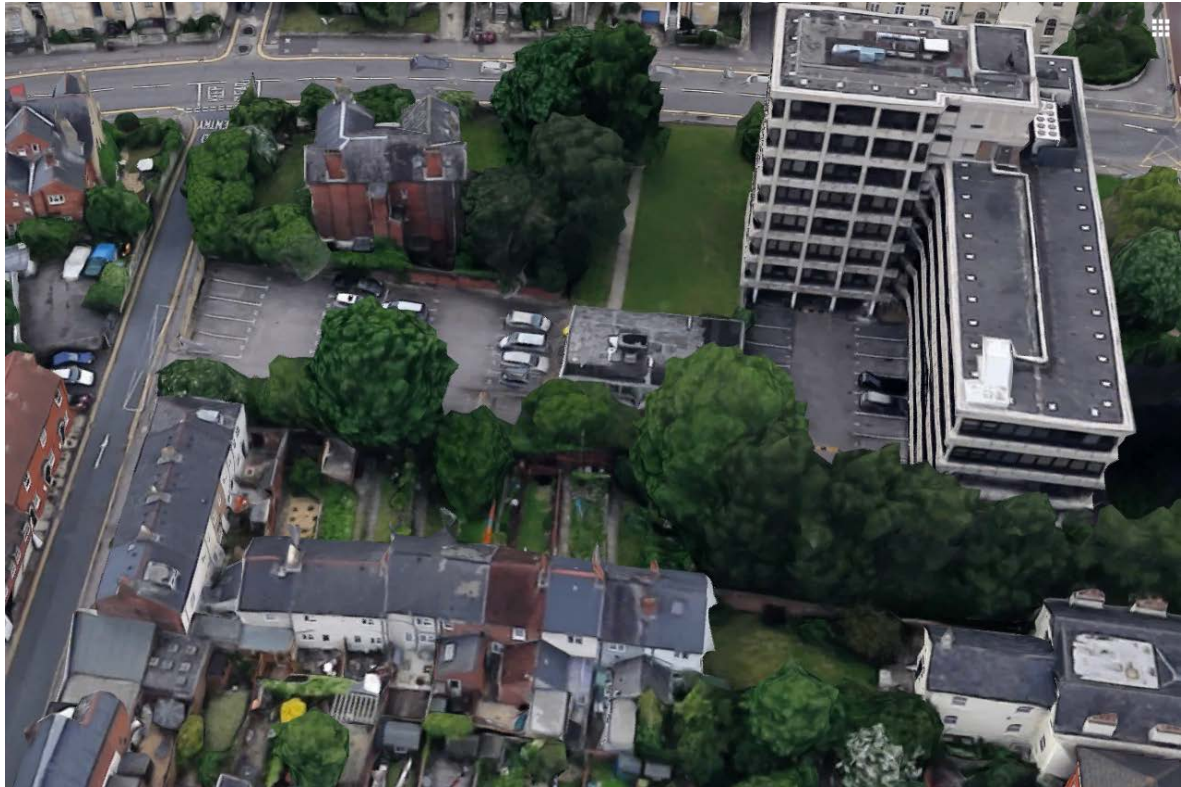
Existing and Proposed section (looking west)



Visualisation of the south elevation from Eldon Terrace



Visualisation from Eldon Road looking east



Aerial view looking west



Aerial view looking south



Aerial view looking east



From Eldon Terrace 19/10/17



From Eldon Road 21/07/17



View from existing Mulberry House window looking towards the eastern boundary and Town Place properties 21/07/17



From existing Mulberry House windows towards Hanover House 21/07/17



From 4th floor of Hanover House towards Mulberry House & Town Place



From 4th floor of Hanover House towards Mulberry House & Town Place



From Hanover House car park towards Mulberry House and boundary with Town Place