

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

Direct ☎ : 0118 9372303

29 January 2019

Your contact is: **Simon Hill (Committee Services) - [simon.hill@reading.gov.uk](mailto:simon.hill@reading.gov.uk)**

**NOTICE OF MEETING - PLANNING APPLICATIONS COMMITTEE 6 FEBRUARY 2019**

A meeting of the Planning Applications Committee will be held on Wednesday, 6 February 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
1. MINUTES			9 - 14
2. DECLARATIONS OF INTEREST			
3. QUESTIONS			
4. POTENTIAL SITE VISITS FOR COMMITTEE ITEMS	Decision	BOROUGHWIDE	15 - 18
5. PLANNING APPEALS	Information	BOROUGHWIDE	19 - 22
6. APPLICATIONS FOR PRIOR APPROVAL	Information	BOROUGHWIDE	23 - 32
7. OBJECTION TO A TREE PRESERVATION ORDER AT 16 ERLEIGH ROAD	Decision	REDLANDS	33 - 38
8. OBJECTION TO A TREE PRESERVATION ORDER AT 41&43 CONISBORO AVENUE, CAVERSHAM	Decision	MAPLEDURHAM	39 - 48

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**PLANNING APPLICATIONS TO BE CONSIDERED**

- |     |   |          |             |           |
|-----|---|----------|-------------|-----------|
| 9.  | 171808/FUL - CENTRAL JAMME<br>MOSQUE, 18/18A WAYLEN STREET  | Decision | ABBEY       | 49 - 82   |
|     | <p><b>Proposal</b> 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).</p> <p><b>Recommendation</b> Permitted subject to Legal Agreement</p>   |          |             |           |
| 10. | 181902/REG3 - TYRELL COURT AND<br>PADLEY COURT, THE DELL  | Decision | ABBEY       | 83 - 98   |
|     | <p><b>Proposal</b> Conversion of 4 sets of redundant garages (3 sets in Tyrell Court and 1 set in Padley Court) to form 4 x one bedroom flats.</p> <p><b>Recommendation</b> Application Permitted</p>   |          |             |           |
| 11. | 170134/FUL - 53-55 ARGYLE ROAD  | Decision | BATTLE      | 99 - 120  |
|     | <p><b>Proposal</b> Conversion from D1 use (former mental health Clinic) to C3 use as 10 self-contained flats, three storey side/rear extension, associated access, parking, private amenity space, bin and cycle store (amended description).</p> <p><b>Recommendation</b> Permitted subject to Legal Agreement</p>   |          |             |           |
| 12. | 181117/FUL - 34-36 & 38<br>SOUTHAMPTON STREET   | Decision | KATESGROVE  | 121 - 166 |
|     | <p><b>Proposal</b> Erection of a basement and 4-storey building to provide 11 (1x studio, 8x1-bed &amp; 2x2-bed) residential units (Class C3) and associated works following the demolition of the existing buildings (basement &amp; 3- storey public house at No's 34-36 Southampton Street and 2-storey residential building at No. 38).</p> <p><b>Recommendation</b> Permitted subject to Legal Agreement</p>   |          |             |           |
| 13. | 182200/VARIAT - MAPLEDURHAM<br>PLAYING FIELDS, UPPER<br>WOODCOTE ROAD, CAVERSHAM  | Decision | MAPLEDURHAM | 167 - 198 |
|     | <p><b>Proposal</b> Erection of 2FE primary school (350 pupils) with associated landscaping, multi-use games area (MUGA), car and cycle parking, and servicing; without complying with conditions 2 (approved plans), 9 (landscaping scheme) and 10 (details of hard and soft landscaping of the MPF Community Car Park) of planning permission 171023/FUL.</p> <p><b>Recommendation</b> Permitted subject to Legal Agreement</p>  |          |             |           |
| 14. | 181555/FUL - GROVELANDS<br>BAPTIST CHURCH, 553 OXFORD<br>ROAD   | Decision | NORCOT      | 199 - 254 |
|     | <p><b>Proposal</b> 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.</p> <p><b>Recommendation</b> Permitted subject to Legal Agreement</p> |          |             |           |
| 15. | 180591/FUL - MULBERRY HOUSE,<br>1A ELDON ROAD   | Decision | REDLANDS    | 255 - 300 |
|     | <p><b>Proposal</b> Demolition of Mulberry House (Class D1) and erection of part 3, part 5 storey building providing 7 (3x1 &amp; 4x2-bed) residential units (Class C3), 5 parking spaces, landscaping and associated works.</p> <p><b>Recommendation</b> Permitted subject to Legal Agreement</p>   |          |             |           |
| 16. | EXCLUSION OF THE PRESS AND<br>PUBLIC  | Decision |             |           |

At this point, the following motion will be moved by the Chair:

“That, pursuant to Section 100A of the Local Government Act 1972 (as amended) members of the press and public be excluded during consideration of the following Item on the agenda, as it is likely that there will be disclosure of exempt information as defined in the relevant Paragraphs of Part 1 of Schedule 12A (as amended) to that Act.”

- |     |  |             |           |           |
|-----|--|-------------|-----------|-----------|
| 17. | PLANNING ENFORCEMENT<br>QUARTERLY UPDATE | Information | ALL WARDS | 301 - 308 |
|-----|--|-------------|-----------|-----------|

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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.

<b>GF1</b>	-	Giorgio Framalico	9372604
<b>KAR</b>	-	Kiaran Roughan	9374530
<b>JW6</b>	-	Julie Williams	9372461
<b>RJE</b>	-	Richard Eatough	9373338
<b>JPM</b>	-	Johnathan Markwell	9372458
<b>SDV</b>	-	Steve Vigar	9372980
<b>CR2</b>	-	Claire Ringwood	9374545
<b>CJB</b>	-	Christopher Beard	9372430
<b>SGH</b>	-	Stephen Hammond	9374424
<b>MDW</b>	-	Mark Worringham	9373337
<b>AJA</b>	-	Alison Amoah	9372286
<b>SEH</b>	-	Sarah Hanson	9372440
<b>BXP</b>	-	Boja Petkovic	9372352
<b>MJB</b>	-	Mathew Burns	9373625
<b>EH1</b>	-	Ethne Humphreys	9374085
<b>SKB</b>	-	Sarah Burr	9374227
<b>TRH</b>	-	Tom Hughes	9374150
<b>SFB</b>	-	Susanna Bedford	9372023
<b>NW2</b>	-	Nathalie Weekes	9374237
<b>TF1</b>	-	Tom French	9374068
<b>CD3</b>	-	Connie Davies	9372413
<b>AS9</b>	-	Anthony Scholes	9374729
<b>JO1</b>	-	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
<b>A1</b> Shops	Class I	<ul style="list-style-type: none"> <li>Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, dry cleaners, internet cafes, etc.</li> <li>Pet shops, cat-meat shops, tripe shops, sandwich bars</li> <li>Showrooms, domestic hire shops, funeral directors</li> </ul>	No permitted changes
<b>A2</b> Financial and Professional Services	Class II	<ul style="list-style-type: none"> <li>Banks, building societies, estate and employment agencies</li> <li>Professional and financial services, betting offices</li> </ul>	Permitted change to A1 <i>where a ground floor display window exists</i>
<b>A3</b> Restaurants and Cafes		Restaurants, snack bars, cafes	Permitted change to A1 or A2
<b>A4</b> Drinking Establishments		Pubs and bars	Permitted change to A1, A2 or A3
<b>A5</b> Hot Food Take-Aways		Take-Aways	Permitted change to A1, A2 or A3
<b>Sui Generis</b>		Shops selling and/or displaying motor vehicles, retail warehouse clubs, laundrettes, taxi or vehicle hire businesses, amusement centres, petrol filling stations	No permitted change
<b>B1</b> 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>
<b>B2</b> General industry	Class IV-IX	General industry	Permitted change to B1 or B8 <i>B8 limited to no more than 235m</i>
<b>B8</b> Storage or Distribution	Class X	Wholesale warehouse, distribution centres, repositories	Permitted change to B1 <i>where no more than 235m</i>
<b>Sui Generis</b>		Any work registrable under the Alkali, etc. Works Regulation Act, 1906	No permitted change
<b>C1</b> Hotels	Class XI	Hotels, boarding and guest houses	No permitted change
<b>C2</b> Residential Institutions	Class XII Class XIV	<ul style="list-style-type: none"> <li>Residential schools and colleges</li> <li>Hospitals and convalescent/nursing homes</li> </ul>	No permitted change
<b>C2A</b> 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
<b>C3</b> Dwelling houses		<ul style="list-style-type: none"> <li>Single occupancy or single households (in the family sense);</li> <li>No more than six residents living as a single household where care is provided;</li> <li>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.</li> </ul>	Permitted to change to C4
<b>C4</b> 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
<b>Sui Generis</b>		<ul style="list-style-type: none"> <li>House in multiple occupation with more than six residents</li> <li>Hostel</li> </ul>	No permitted change

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

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**Present:** Councillor Maskell (Chair);  
Councillors Rowland (Vice-Chair), Brock, Emberson, Gavin, McEwan, Robinson, DP Singh, Vickers and J Williams

**Apologies:** Councillors Hopper, Page and R Williams

### RESOLVED ITEMS

#### 49. MINUTES OF THE PLANNING APPLICATIONS COMMITTEE HELD ON 5 DECEMBER 2018

The Minutes of the meeting held on 5 December 2018 were agreed as a correct record and signed by the Chair.

#### 50. POTENTIAL SITE VISITS FOR COMMITTEE ITEMS

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:

#### 181930 - 29 STATION ROAD

Demolition of the existing vacant 6-storey retail and office building and erection of a replacement basement and part 4, part 22 (with rooftop plant above) storey building to provide flexible retail (Class A1, A2, A3, A4 or A5) use at part ground floor level, a 135-bedroom hotel (Class C1) at 1st to 16th floors and offices (Class B1a) at 17th to 21st floors, associated servicing from Garrard Street and other associated works (amended description).

#### 51. PLANNING APPEALS

##### (i) New Appeals

The Director of Environment and Neighbourhood Services submitted a schedule giving details of notification received from the Planning Inspectorate regarding three planning appeals, the method of determination for which she had already expressed a preference in accordance with delegated powers, which was attached as Appendix 1 to the report.

**(ii) Appeals Recently Determined**

The Director of Environment and Neighbourhood Services submitted details of five 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 decision in Appendix 3:

**162174/ADJ - LAND OFF PEPPARD ROAD, EMMER GREEN**

Residential development of up to 245 residential dwellings (including up to 40% affordable housing), structural planning and landscaping, informal public open space and children's play areas, vehicular access from Peppard Road and Kiln Road and associated ancillary works. All matters reserved with the exception of the main vehicular access

Public Inquiry.

Appeal dismissed.

**Resolved -**

- (1) That the new appeals, as set out in Appendix 1, be noted;
- (2) That the outcome of the recently determined appeals, as set out in Appendix 2, be noted;
- (3) That the report on the appeal decision set out in Appendix 3 be noted.

**52. APPLICATIONS FOR PRIOR APPROVAL**

The Director of Environment and Neighbourhood Services submitted a report giving details in Table 1 of 16 pending prior approval applications, and in Table 2 of seven applications for prior approval decided between 21 November and 13 December 2018.

**Resolved -** That the report be noted.

**53. QUARTERLY PERFORMANCE MONITORING REPORT - DEVELOPMENT MANAGEMENT SERVICE - QUARTERS 1, 2 AND 3, 2018/19**

The Director of Environment and Neighbourhood Services submitted a report providing performance monitoring information for Quarters 1, 2 and 3 (April-December) of 2018/19. It set out the Council's current performance against government criteria for designation and corporate indicators where they varied from the government criteria.

The report explained that the figures for Quarter 3 were based on figures up to 12 December 2018 and an update report was tabled at the meeting which reflected the whole Quarter to 31 December 2018.

**Resolved -** That the report be noted.

**54. MHCLG CONSULTATION ON PLANNING REFORM "SUPPORTING THE HIGH STREET AND INCREASING THE DELIVERY OF NEW HOMES"**

The Director of Environment and Neighbourhood Services submitted a report on the consultation document entitled "Planning Reform: Supporting the high street and increasing the delivery of new homes," published for consultation by the Ministry of Housing, Communities and Local Government (MHCLG) at the end of October 2018, with a consultation end date of 14 January 2019.

The report explained that the document covered a number of issues including proposed changes to permitted development rights and use classes, in particular proposed new permitted development rights to extend upwards. The report outlined the main changes proposed and set out initial officer views on these proposed changes, but explained that officers were working on draft responses to relevant sections of the consultation questions and recommended delegating authority for the final representations to be agreed and sent by the consultation deadline.

**Resolved -**

- (1) That the publication of the Planning Reform consultation Document by MHCLG in October 2018 be noted;
- (2) That the initial officer commentary on the proposed changes to permitted development rights and use classes be endorsed;
- (3) That the Head of Planning, Development & Regulatory Services be authorised to agree final representations on the consultation in consultation with the Chair of Planning Applications Committee and the Lead Councillor for Strategic Environment, Planning and Transport.

**55. 171808/FUL - 18 WAYLEN STREET**

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).

The Director of Environment and Neighbourhood Services submitted a report on the above application. An update report was tabled at the meeting which recommended deferral to allow officers to continue to work with the applicant and relevant consultees on a number of matters.

**Resolved -** That consideration of the application be deferred.

**56. 181566/FUL & 181567/LBC - 3-5 KING STREET**

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.

181567/LBC - Refurbishment of existing Listed Building Group formerly 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.

The Director of Environment and Neighbourhood Services submitted a report on the above applications.

Comments were received and considered.

**Resolved -**

- (1) That planning permission for application 181566/FUL be granted subject to the conditions and informatives as recommended in the report;
- (2) That listed building consent for application 181567/LBC be granted subject to the conditions and informatives as recommended in the report.

**57. 181855/REG3 - 125 BASINGSTOKE ROAD**

Conversion of redundant storage area to create a three-bedroom apartment

The Director of Environment and Neighbourhood Services submitted a report on the above application.

Comments were received and considered.

**Resolved -** That, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, the carrying out of the development be authorised, subject to the conditions and informatives recommended.

**58. 181853/REG3 & 181554/REG3 - 72 & 80 BRUNSWICK STREET**

181853/REG3 - 72 Brunswick Street - 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

181854/REG3 -80 Brunswick Street - 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

The Director of Environment and Neighbourhood Services submitted a report on the above applications. It was reported at the meeting that officers now considered that a unilateral undertaking was not needed, and the securing of the new one-bedroom flats for the purposes of temporary affordable housing could be achieved by a condition. The recommendation was therefore amended accordingly.

Comments and objections were received and considered.

**Resolved -**

- (1) That, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, the carrying out of the development 181853 at 72 Brunswick Street be authorised, subject to the conditions and informatives recommended in the report and an additional condition to secure the new one-bedroom flats for the purposes of temporary affordable housing;
- (2) That, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, the carrying out of the development 181854 at 80 Brunswick Street be authorised, subject to the conditions and informatives recommended in the report and an additional condition to secure the new one-bedroom flats for the purposes of temporary affordable housing.

**59. 180591/FUL - MULBERRY HOUSE, 1A ELDON ROAD**

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.

The Director of Environment and Neighbourhood Services submitted a report on the above application. An update report was tabled at the meeting which gave details of further public consultation responses, amended the proposed date for the legal agreement to be completed and recommended an additional informative.

It was reported at the meeting that there was a procedural issue with the application which meant that it was necessary to defer consideration of the application.

**Resolved -** That consideration of the application be deferred.

(The meeting started at 6.30 pm and closed at 6.56 pm)

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## READING BOROUGH COUNCIL

### REPORT BY DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

<b>TO:</b>	PLANNING APPLICATIONS COMMITTEE		
<b>DATE:</b>	6 FEBRUARY 2019		
<b>TITLE:</b>	POTENTIAL SITE VISITS FOR COMMITTEE ITEMS		
<b>SERVICE:</b>	PLANNING	<b>WARDS:</b>	BOROUGH WIDE
<b>AUTHOR:</b>	KIARAN ROUGHAN	<b>TEL:</b>	0118 9374530
<b>JOB TITLE:</b>	PLANNING MANAGER	<b>E-MAIL:</b>	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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## READING BOROUGH COUNCIL

### REPORT BY DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

<b>TO:</b>	<b>PLANNING APPLICATIONS COMMITTEE</b>		
<b>DATE:</b>	<b>6 FEBRUARY 2019</b>		
<b>TITLE:</b>	<b>PLANNING APPEALS</b>		
<b>AUTHOR:</b>	<b>KIARAN ROUGHAN</b>	<b>TEL:</b>	<b>0118 9374530</b>
<b>JOB TITLE:</b>	<b>PLANNING MANAGER</b>	<b>E-MAIL:</b>	<b>Kiaran.roughan@reading.gov.uk</b>

#### 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: ABBEY  
APPEAL NO: APP/E0345/H/18/3205494  
CASE NO: 180532  
ADDRESS: Broad Street Mall, Broad Street, Reading  
PROPOSAL: Replacement signage comprising 3x internally illuminated fascia signs, 1x internally illuminated projecting sign and assorted vinyl signage  
CASE OFFICER: Tom French  
METHOD: Written Representation  
APPEAL TYPE: Non-determination  
APPEAL LODGED: 04.01.2019

WARD: KATESGROVE  
APPEAL NO: APP/E0345/W/18/3217314  
ADDRESS: 2 London Court, East Street, Reading  
PROPOSAL: New dormer window in roof on rear elevation (retrospective)  
CASE OFFICER: Tom French  
METHOD: Written Representation  
APPEAL TYPE: Refusal  
APPEAL LODGED: 03.01.2019

## APPENDIX 2

### Appeals Decided:

WARD: REDLANDS  
APPEAL NO: APP/E0345/W/18/3208163  
CASE NO: 171772  
ADDRESS: 34 Eldon Terrace  
PROPOSAL: Change of use of basement storage rooms to provide 2 x 1 bed flats including retention of lightwell to rear and associated internal and external alterations.  
CASE OFFICER: Anthony Scholes  
METHOD: Written Representation  
DECISION: Dismissed  
DATE DETERMINED: 18.12.2018

WARD: CAVERSHAM  
APPEAL NO: APP/E0345/W/18/3205140  
CASE NO: 180563  
ADDRESS: 3 Prospect Street  
PROPOSAL: Change of use of restaurant to (A3) to retail/professional & financial services (A1/A2), upwards extension to 3 Prospect Street or provide additional residential unit, conversion of rear part of restaurant to provide 4 new residential units, demolition of 1a North Street and replacement with building containing 4 residential units.  
CASE OFFICER: Susanna Bedford  
METHOD: Written Representation  
DECISION: Dismissed  
DATE DETERMINED: 18.12.2018

WARD: PEPPARD  
APPEAL NO: APP/E0345/W/18/3208809  
CASE NO: 172017  
ADDRESS: Land adj. to 22 Quantock Ave  
PROPOSAL: Proposed 2 bed single storey dwelling  
CASE OFFICER: Ethne Humphreys  
METHOD: Written Representation  
DECISION: Dismissed  
DATE DETERMINED: 08.01.2019

### APPENDIX 3

Address Index of Planning Officers reports on appeal decisions.

No reports available this time.

Planning Officers reports on appeal decisions attached.

## READING BOROUGH COUNCIL

### REPORT BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

<b>TO:</b>	PLANNING APPLICATIONS COMMITTEE		
<b>DATE:</b>	6 FEBRUARY 2019		
<b>TITLE:</b>	APPLICATIONS FOR PRIOR APPROVAL		
<b>AUTHOR:</b>	JULIE WILLIAMS & RICHARD EATOUGH		
<b>JOB TITLE:</b>	AREA TEAM LEADERS	<b>E-MAIL:</b>	<a href="mailto:Julie.williams@reading.gov.uk">Julie.williams@reading.gov.uk</a> <a href="mailto:Richard.eatough@reading.gov.uk">Richard.eatough@reading.gov.uk</a>

#### 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 GPDO. 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 £1,092,668.

(Office Prior Approvals - £1,008,341: Householder Prior Approvals - £67,232:  
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 - £828: 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 @ 25<sup>th</sup> January 2019

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	182239	295 Northumberland Avenue, Reading, RG2 7QE	Church	Rear extension measuring 5.5m in depth, with a maximum height of 2.95m and 2.65m in height to eaves level.	19/12/2018	29/01/2019		£206
Householder Prior Approval - Class A, Part 1 GPDO 2015	190079	213 Hartland Road, Reading, RG2 8DN	Church	Rear extension measuring 6m in depth, with a maximum height of 3m and 3m in height to eaves level.	16/01/2019	26/02/2019		£206
Householder Prior Approval - Class A, Part 1 GPDO 2015	190010	29 Carlton Road, Caversham, Reading, RG4 7NT	Mapledurham	Rear extension measuring 4.6m in depth, with a maximum height of 4m and 3m in height to eaves level.	31/12/2018	10/02/2019		£206
Householder Prior Approval - Class A, Part 1 GPDO 2015	190047	27 Hilltop Road, Caversham, Reading, RG4 7HR	Mapledurham	Rear extension measuring 3.8m in depth, with a maximum height of 3.0m, and 2.8m in height to eaves level.	10/01/2019	25/02/2019		£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	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
Office use to dwelling house - Class O, Part 1 GPDO 2015	190008	6 St Giles Court, Southampton Street, Reading, RG1 2QL	Katesgrove	Change of use from Class B1(a) (offices) to C3 (dwellinghouses) to comprise 2 x studio flats.	02/01/2019	27/02/2019		£828
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 - None**

**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 13 December 2018 to 25 January 2019

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	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	Prior Approval NOT REQUIRED
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	19/12/2018	Prior Approval NOT REQUIRED
Householder Prior Approval - Class A, Part 1 GPDO 2015	181938	179 Hartland Road, Reading, RG2 8DL	Church	Rear extension measuring 6m in depth, with a maximum height of 2.9m, and 2.7m in height to eaves level.	05/11/2018	23/01/2019	Application Withdrawn
Householder Prior Approval - Class A, Part 1 GPDO 2015	182210	7 Elm Road, Reading, RG6 5TS	Church	Rear extension measuring 6m in depth, with a maximum height of 3m and 3m in height to eaves level.	14/12/2018	14/01/2019	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	182213	213 Hartland Road, Reading, RG2 8DN	Church	Rear extension measuring 6m in depth, with a maximum height of 2.5m and 2.5m in height to eaves level.	17/12/2018	14/01/2019	Prior Approval NOT REQUIRED
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	09/01/2019	Prior Approval NOT REQUIRED
Householder Prior Approval - Class A, Part 1 GPDO 2015	182207	21 Highgrove Street, Reading, RG1 5EJ	Katesgrove	Rear extension measuring 6m and 4.8m in depth, with a maximum height of 3.1m and 2.75, in height to eaves level.	14/12/2018	24/01/2019	Prior Approval Notification - Refusal
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	18/12/2018	Prior Approval NOT REQUIRED
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	19/12/2018	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	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	19/12/2018	Prior Approval Notification - Refusal
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	15/01/2019	Application Withdrawn
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	15/01/2019	Prior Approval Notification - Approval
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 2 x 1 bed apartments.	16/11/2018	14/01/2019	Prior Approval Notification - Approval

Application type	Application reference number	Address	Ward	Proposal	Date Received	Decision Date	Decision
Office use to dwelling house - Class O, Part 1 GPDO 2015	181880	83-85 London Street, Reading, RG1 4QA	Katesgrove	Change of use from Class B1(a) (offices) to C3 (dwelling houses) to comprise 18 X 1-bed dwellings.	30/10/2018	21/12/2018	Prior Approval Notification - Approval
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	Prior Approval NOT REQUIRED
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 16 Residential units.	16/11/2018	10/01/2019	Prior Approval Notification - Approval
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	23/01/2019	Prior Approval NOT REQUIRED

**Demolition Prior Approval applications decided**

Application type	Application reference number	Address	Ward	Proposal	Date Received	Decision Date	Decision
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	19/12/2018	Observations sent
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	19/12/2018	Observations sent

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



## COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 6 February 2019  
TITLE: OBJECTION TO A TREE PRESERVATION ORDER AT 16 ERLEIGH ROAD, READING

Ward: Redlands

### RECOMMENDATION

That the Tree Preservation Order be confirmed

#### 1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To report to Committee an objection to Tree Preservation Order No. 10/18 relating to 16 Erleigh Road, Reading (copy of TPO plan attached - Appendix 1).

#### 2. BACKGROUND

- 2.1 A Section 211 Notice to fell the Ginkgo tree was received in August 2018 on the basis that the tree was damaging the adjacent boundary wall; a Notice to fell being required as the tree is located within the Redlands Conservation Area. In assessing the proposed felling, Officers determined that the healthy, mature Ginkgo was worthy of a Tree Preservation Order. The condition of the wall was such that a section would have to be rebuilt; the potential method of which could be devised to work around the tree roots. The service of a TPO is the only way in which a Local Planning Authority can stop the felling of a tree in a Conservation Area once a S211 Notice has been received. A TPO was therefore served on 10 September 2018 in order to protect the tree whilst discussion about the wall continued.

#### 3. RESULT OF CONSULTATION

- 3.1 An objection to the TPO has been made by 18E Erleigh Road on behalf of residents at the adjacent Marlow Court, 18A-18E Erleigh Road, based on the following [*note that 8 residents confirmed if they wished to object when asked by No. 18E; 4 said 'yes', 3 said 'no' and 1 (No. 18E) said 'don't know', hence the objection was determined by the majority vote*]:

- 1) The tree roots have caused a significant lean and loosening of bricks of the dividing boundary wall (owned by No. 16). There is concern that without significant intervention the roots may soon push over the wall completely (potentially injuring anyone who happens to be nearby at the time). This possibility has been confirmed by the consulting engineer employed by No. 16.
- 2) The tree roots may damage a drain which is believed to run from numbers 14 & 16 passing under Marlow Court into Alexandra Road; a drawing of which has been seen [by objector]. Whilst No. 16 believes this drain to be redundant, with replacements having been laid without passing through Marlow Court, there is no documentary evidence of this.
- 3) The tree is very tall with a slight lean to the south-west whereas it was previously (apparently) perpendicular. There is concern that if it falls, for example in a gale, then it could cause significant damage to some of the garages/vehicles or properties at Marlow Court.

- 4) It is believed that damage arising from the tree shall remain the responsibility of the owner of 16 Erleigh Road. However, if the tree or its roots cause damage to any part of 18 Erleigh Road then the existence of the TPO may cause subsequent bureaucracy and delay, resulting in further damage and/or costs. In that case, the Council should be willing to accept the costs arising there from.

3.2 In response to the objections from Marlow Court, 18 Erleigh Road, Officers have the following comments:

- 1) Officers were aware of the condition of the wall prior to the service of the Tree Preservation Order. Following service, a visit from a consulting engineer was organised by the tree owner as a joint visit with officers in order to discuss potential repair of the wall, whilst enabling retention of the tree - this was attended by the owner of 18E Erleigh Road. The consulting engineer confirmed during the visit that he did not think the wall was in imminent danger of failure. The wall issue is subject to ongoing discussions and officers await further contact from the tree owner once she has received the report from the engineer. The wall would have to be dealt with even if the tree was removed; the tree removal in itself potentially causing issues with the wall (as confirmed by the engineer).
- 2) It is accepted that roots do have the potential to affect drains both directly and indirectly. It appears from the objection that the concern in this respect relates to 'possible' damage. Whilst these concerns are appreciated, 'potential' damage would not be a reason to fell or omit a tree from a TPO. Should tree related drainage issues be confirmed in the future then officers would deal with the matter at that point.
- 3) The slight lean of the tree was noted during the two visits to the site. The reason for the lean is not clear, however a lean, in itself, is not necessarily a concern. Trees can lean for a number of 'natural' reasons that would not make failure likely. There is no evidence to show that the lean has increased over either a long, or short, period and no photos to compare with the current situation. It is a tree owner's responsibility to ensure that a tree does not pose an unacceptable risk to persons or property. To meet with this 'duty of care', trees should be inspected by a suitable professional on a regular basis (the frequency determined by any defects present and/or the risk the tree presents). Any such inspection would be expected to highlight concerns and recommend suitable action. Regular inspections would also enable comparison of condition over the years.
- 4) The responsibility for the tree and any damage it causes remains with the owner, regardless of its protection status. If any damage occurs to 18 Erleigh Road, it follows that all parties will want to establish the cause of that damage so that appropriate action is taken. If it is proven that the roots of the protected tree are the cause of the damage, officers would work quickly with the parties involved to resolve the issue. Officers do not foresee that the presence of the TPO would cause undue delay if evidence clearly points to roots of the Ginkgo as being responsible for the damage. The only situation in which a claim may be relevant against the Council would be if an application to fell was refused and subsequent damage occurred as a direct result of that refusal. Otherwise, costs incurred remain with the tree owner and/or their insurer.

#### **4. CONCLUSION AND RECOMMENDATION**

- 4.1 The issue relating to the boundary wall is subject to ongoing discussions with the tree owner which officers will still continue if the TPO is confirmed. Other concerns raised are not considered to be valid reasons for omitting the tree from a TPO. It is therefore recommended that the TPO be confirmed.

#### **5. LEGAL IMPLICATIONS**

- 5.1 Preparing, serving confirmation and contravention of TPO's are services dealt with by the Council's Legal Section.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1.1 Administrative.

#### **7. EQUAL OPPORTUNITIES IMPLICATIONS**

- 7.1 In assessing objections to TPOs, officers will have regard to 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 there would be no significant adverse impacts as a result of the making of this TPO.

#### **8. SUSTAINABILITY IMPLICATIONS**

- 8.1 The aim of the TPOs is to secure trees of high amenity value for present and future generations to enjoy. Trees also have high environmental benefits through their absorption of polluted air and creation of wildlife habitats.

#### **9. BACKGROUND DOCUMENTS**

- 9.1 Planning Section's Tree Preservation Order Directory

- 9.2 Register of Tree Preservation Orders

- 9.3 Plan of TPO 10/18 relating to 16 Erleigh Road, Reading (Appendix 1)

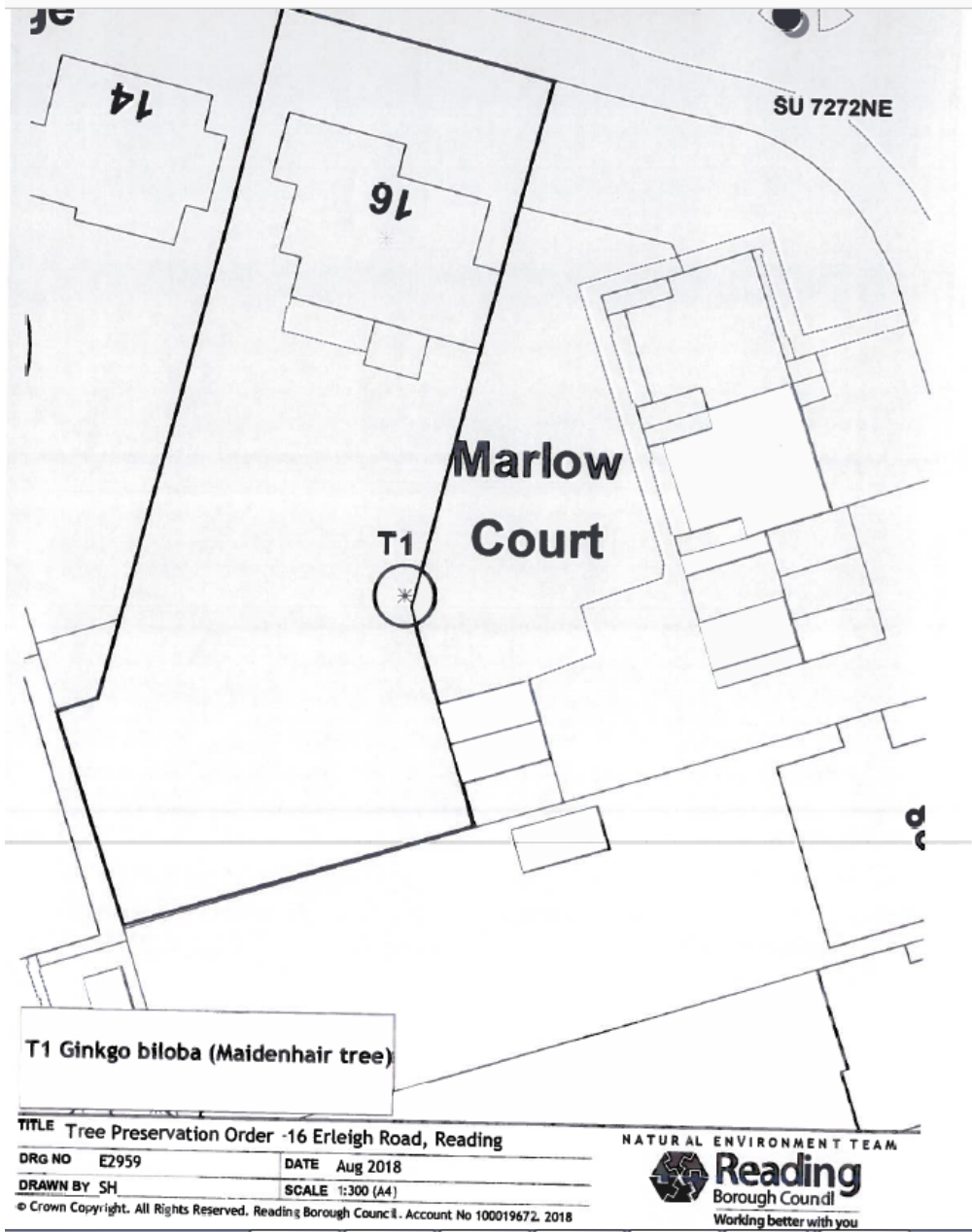
Officer: Sarah Hanson



Wall - viewed from Marlow Court, 18 Erleigh Road



Appendix 1



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## COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 6 FEBRUARY 2019  
TITLE: OBJECTION TO A TREE PRESERVATION ORDER AT 41 & 43 CONISBORO AVENUE,  
CAVERSHAM, READING

Ward: Mapledurham

### RECOMMENDATION

That the Tree Preservation Order be confirmed

#### 1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To report to Committee an objection to Tree Preservation Order No. 15/18 relating to 41 & 43 Conisboro Avenue, Reading (copy of TPO plan attached - Appendix 1).

#### 2. BACKGROUND

- 2.1 Following receipt of a planning application at 43 Conisboro Avenue (ref 180533), Officers assessed the proposals in relation to trees. Due to the potential harm to trees of high amenity value, a TPO was served on 1 May 2018 (TPO 1/18) to ensure retention of those trees. Further trees of amenity value were also included in the neighbouring property at 41 Conisboro Avenue due to the potential harm from the planning proposals, with an additional tree in the rear garden also being included.
- 2.2 An objection to TPO 1/18 from 41 Conisboro Avenue was reported to Planning Applications Committee on 5 September 2018 (Appendix 2) where it was agreed that the TPO be confirmed, with several amendments. Instructions were thereafter provided to Legal Services to confirm the TPO with those amendments. The Town and Country Planning (Tree Preservation) (England) Regulations 2012 requires TPO to be confirmed prior to 6 months from the date of service. Unfortunately this was not done hence the TPO was re-served (with the amendments) on 5 December 2018.

#### 3. RESULT OF CONSULTATION

- 3.1 An objection to the TPO has again been made by 41 Conisboro Avenue to trees at No. 41 only, based mainly on the same concerns as previously expressed but with the addition of several new points. The objections raised in the Committee Report from 5 September 2018 are still relevant and should be considered (see Appendix 2) along with the following additional concerns:

##### T1 Sycamore

- Bins are being pushed against the trunk by Council staff and are causing damage
- The tree has a large branch overhanging the driveway which will soon block the entrance, e.g. for high sided vehicles. This 'side arm' should be excluded from the TPO

#### T2 Sycamore

- Concern over the condition of this tree due to the loss of many dead branches in recent months.
- The trunk is within 2m of a warm water drain hence there is concern over the risk to security of this system.

#### T4 Pine

- There is concern that the Pine could grow to over 100m and could pose a threat to occupants of adjacent houses.

3.2 In response to the additional objections from 41 Conisboro Avenue, Officers have the following comments:

#### T1 Sycamore (T1 of previous TPO 1/18)

It is agreed that Council staff should be avoiding damage to trees when replacing bins. Officers have recommended that the problem is reported via our website in order that bin collection staff are made aware of the need to avoid this issue in the future. This preventable issue is not considered a reason to omit the Sycamore from the TPO.

In relation to the large branch potentially blocking the driveway, the objector is able to submit an application seeking approval for any tree work considered necessary. Where trees overhang the public highway (road), there is a requirement to maintain branches above 5.5m in order to prevent conflict with high sided vehicles. There may be potential to do this over the driveway to alleviate this concern.

It is not possible, as a principle, to exclude this branch / side arm from the TPO, as the whole of a tree is protected when included within a TPO. Approval for works can be sought, as advised above.

#### T2 Sycamore (T2 of previous TPO 1/18)

The removal of dead wood is prudent to avoid the potential hazard from these branches falling - this does not need formal approval under the TPO so can be done at any time. There is, however, a requirement to notify the Council of the intention to carry out this work. If there is concern about the overall condition of the tree then it is prudent to employ a professional to carry out a full inspection. Regular inspections are prudent for any tree owner in order to meet with the 'duty of care' to ensure that trees do not pose an unacceptable risk to persons or property. Currently, arboricultural evidence to support omission of this tree from the TPO has not been provided.

It is accepted that trees can pose a potential risk to adjacent services, directly or indirectly. In an urban environment, close proximity between trees and service routes is common and does not imply that tree related damage will occur. If there are any issues with the drain in the future, a drainage engineer should be contacted who can usually resolve the problem by lining the drains without the need for trenching or tree removal.

#### T4 Pine (T5 of previous TPO 1/18)

It is assumed that the objector may mean 100 feet (approx. 30.5m) rather than 100m. Officers would not expect the tree to reach this height; only approx. 20-25m/65-82 feet. Height in itself does not mean that a tree is a threat. As advised above, regular inspections are prudent to pick up any issues that require attention in order to ensure risk is minimised.



#### **4. CONCLUSION AND RECOMMENDATION**

- 4.1 For the reasons given above and in the Committee report of 5 September 2018, it is considered that the TPO should be confirmed.

#### **5. LEGAL IMPLICATIONS**

- 5.1 Preparing, serving confirmation and contravention of TPO's are services dealt with by the Council's Legal Section.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1.1 Administrative.

#### **7. EQUAL OPPORTUNITIES IMPLICATIONS**

- 7.1 In assessing objections to TPOs, officers will have regard to 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 there would be no significant adverse impacts as a result of the making of this TPO.

#### **8. SUSTAINABILITY IMPLICATIONS**

- 8.1 The aim of the TPO's is to secure trees of high amenity value for present and future generations to enjoy. Trees also have high environmental benefits through their absorption of polluted air and creation of wildlife habitats.

#### **9. BACKGROUND DOCUMENTS**

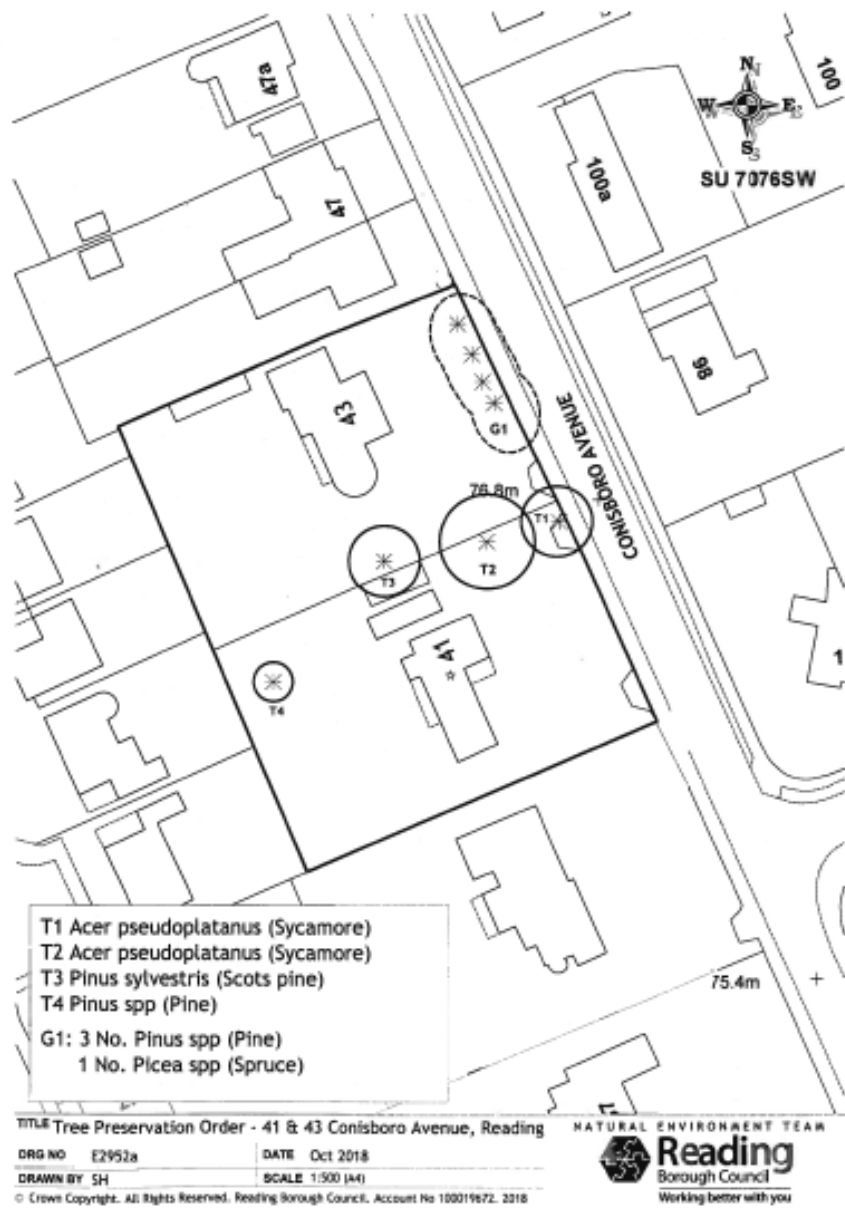
- 9.1 Planning Section's Tree Preservation Order Directory

- 9.2 Register of Tree Preservation Orders

- 9.3 Plan of TPO 15/18 relating to 41 & 43 Conisboro Avenue, Reading (Appendix 1)

Officer: Sarah Hanson

# Appendix 1



COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 5 SEPTEMBER 2018  
TITLE: OBJECTION TO A TREE PRESERVATION ORDER AT 41 & 43 CONISBORO AVENUE,  
CAVERSHAM, READING

ITEM NO.

Ward: Mapledurham

**RECOMMENDATION**

That the Tree Preservation Order be confirmed with the omission of T3 (Yew) and amendment to the trunk location of T1 (Sycamore) at 41 Conisboro Avenue and the omission of the southern-most Pine from G1 at 43 Conisboro Avenue

**3. PURPOSE AND SUMMARY OF REPORT**

1.2 To report to Committee an objection to Tree Preservation Order No. 1/18 relating to 41 & 43 Conisboro Avenue, Reading (copy of TPO plan attached - Appendix 1).

**2. BACKGROUND**

2.1 Following receipt of a planning application at 43 Conisboro Avenue (ref 180533), Officers assessed the proposals in relation to trees. Due to the potential harm to trees of high amenity value, a TPO was served on 1 May 2018 to ensure retention of those trees. Further trees of amenity value were also included in the neighbouring property at 41 Conisboro Avenue due to the potential harm from the planning proposals, with an additional tree in the rear garden also being included.

**3. RESULT OF CONSULTATION**

3.3 An objection to the TPO has been made by 41 Conisboro Avenue to trees at No. 41 only, based on the following points:

T1 Sycamore

- The tree will eventually block the driveway, public footpath and road
- The tree poses a danger to services in close proximity (gas, broadband and water)
- The roots are showing signs of damaging the driveway, public footpath and road and natural debris will block roadside drains
- The tree offers no amenity value and is not a rare species
- There is a preference to remove and replace with a fruit tree

T2 Sycamore

- The tree is vast and overbearing to the house
- It has no amenity value or public benefit and is not rare so removal would not have a negative impact
- Natural debris (leaves, bird droppings) cause problems
- The tree should be removed and replaced with a fruit tree in keeping with the original orchard status of the garden

### T3 Yew

- The tree blocks garage access which will worsen over time
- The tree has no amenity value and has poor shape, form and appearance
- The tree poses a threat to the water supply due to its close proximity to the water standpipe
- The tree should be removed and replaced with a fruit tree in keeping with the garden's past.

### T5 Pine

- The tree is too big for the garden and will get bigger
- It has no amenity value or public benefit
- Its blocks light to the garden hindering growth of new Pear trees and other plants, affecting the ability to restore the garden to fruit trees
- The tree should be felled and replaced with a fruit tree in keeping with the garden's past

## 3.4 In response to the objections from 41 Conisboro Avenue, Officers have the following comments:

In relation to T1 (Sycamore), having viewed this tree from the property, Officers have identified it as being an early mature tree in good health and with amenity value being located adjacent to the public highway, with reasonable clearance from the public highway.

The tree is located to the side of the access drive but is unlikely to obstruct the driveway in the near future. The position of T1 on the plan should be amended to show it within the access drive if the decision is made to confirm the Tree Preservation Order (TPO).

The issues of leaf drop, proximity to services and potential for branches to obstruct the highway are applicable to most trees adjacent to the public highway and would not usually provide adequate justification for the removal of an otherwise healthy tree, as these issues can be readily addressed with maintenance to the tree or the service run without necessitating the removal of the tree. Permitting trees to be removed for this reason would result in the loss of many trees in urban areas to the detriment of our urban environment.

In relation to T2 (Sycamore), this is a prominent mature tree with a full canopy. Officers do not agree that the tree has no public benefit. The tree is visible from the highway and part of the collective mature tree cover on that side of Conisboro Avenue. Again the issues concerning leaf drop, lack of rarity and proximity to services relate to most trees in urban areas. All trees (deciduous or evergreen) will drop leaves and very few trees planted in urban areas could be considered rare. Where tree roots do grow into drains this can be addressed by cutting the tree roots and re-lining the drains. This work does not usually necessitate tree removal.

In relation to T3 (Yew), the position was carefully assessed by Officers on site and it was agreed that the position of this tree is potentially obstructive to the garage and the tree base is growing up against the water stand pipe. The amenity value as a smaller specimen tree does not merit retaining the tree in this potentially problematic location. In view of this, its omission from the TPO on confirmation (if confirmed) would be appropriate.

When serving a new Tree Preservation Order, the Borough Council will look to include all trees on a property which meet the criteria for a Tree Preservation Order in the Order to ensure a consistent level of tree

protection on site. For this reason, the Pine (T5) within the rear garden was included in the TPO. It is not agreed that the tree provides no amenity value by virtue of its location. The tree is visible as a backdrop to houses to the rear of the site and as a young, healthy tree this amenity value will increase as the tree reaches maturity.

Many properties on Conisboro Avenue contain a number of large, 'forest style' trees therefore the trees on the property are not out of keeping with the local landscape.

The objector has stated that they would like to remove some of the trees with a view to replacing the trees with fruit trees which are considered more in keeping with the original orchard character of the property demonstrated by the stained glass window images in the house. Fruit trees are smaller specimen trees which require regular pruning works for fruit production and which, although attractive, do not and will not make a significant contribution to the amenity of an area. For this reason, the Borough Council would not permit the removal of otherwise healthy large trees so that they can be replaced with fruit trees as this would be detrimental to the long term amenity provided by trees to the area.

#### **4. CONCLUSION AND RECOMMENDATION**

- 4.1 For the reasons given above, it is considered that the TPO should be confirmed with the inclusion of all trees shown at No. 41 with the exception of T3 (Yew). A slight amendment to the trunk location of T1 is appropriate if the TPO is confirmed. In addition, Officers identified issues with one of the Pines in G1 at 43 Conisboro Avenue during a site visit following the service of the TPO. Due to the impact of these issues on the health and condition of the tree, it is recommended to omit that Pine from G1, with all other trees shown being retained in the TPO.

#### **5. LEGAL IMPLICATIONS**

- 5.2 Preparing, serving confirmation and contravention of TPO's are services dealt with by the Council's Legal Section.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1.2 Administrative.

#### **7. EQUAL OPPORTUNITIES IMPLICATIONS**

- 7.1 In assessing objections to TPOs, officers will have regard to 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 there would be no significant adverse impacts as a result of the making of this TPO.

## 8. SUSTAINABILITY IMPLICATIONS

8.2 The aim of the TPO's is to secure trees of high amenity value for present and future generations to enjoy. Trees also have high environmental benefits through their absorption of polluted air and creation of wildlife habitats.

## 9. BACKGROUND DOCUMENTS

9.1 Planning Section's Tree Preservation Order Directory

9.2 Register of Tree Preservation Orders

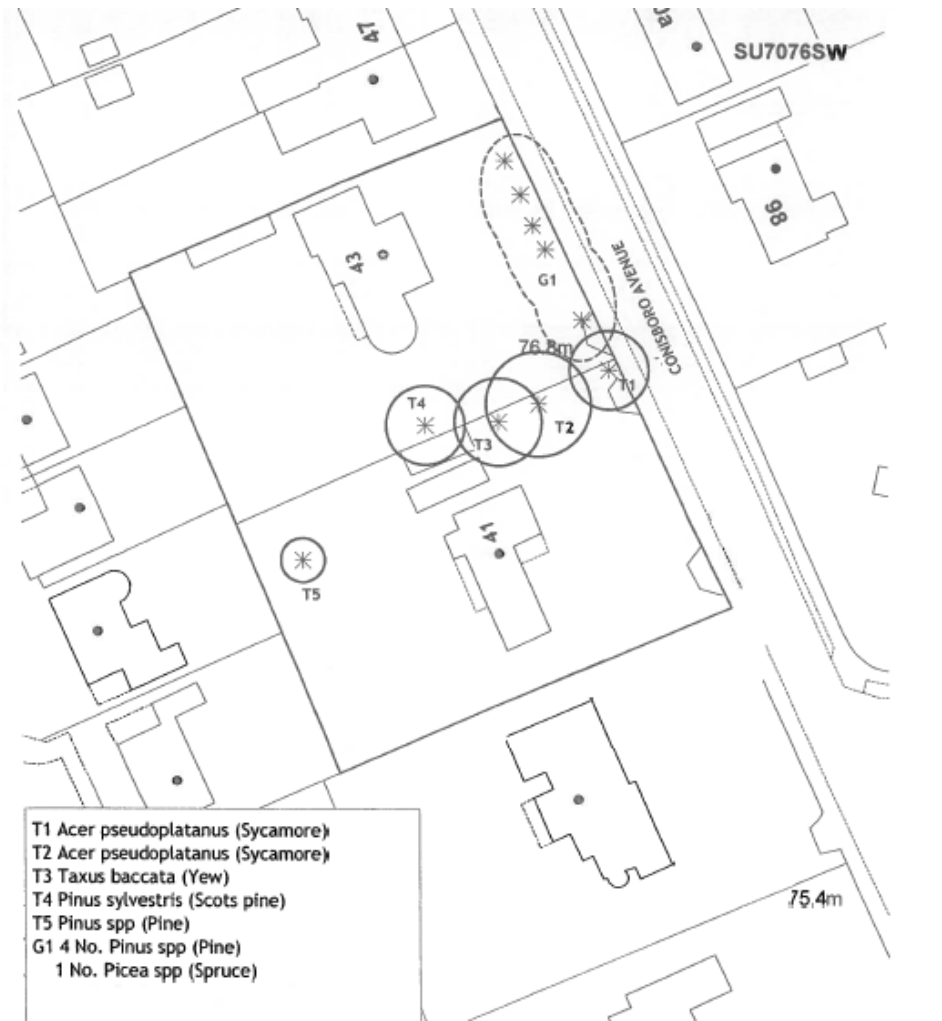
9.3 Plan of TPO 1/18 relating to 41 & 43 Conisboro Avenue, Reading (Appendix 1)

Officer: Sarah Hanson



T1 Sycamore

Appendix 1



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## COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 6 February 2019

**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:

Subject to the receipt of a satisfactory revised travel plan, **Delegate** to the Head of Planning, Development and Regulatory Services (HPDRS) to **GRANT** planning permission subject to the completion of a satisfactory s106 legal agreement with the following Heads of Terms:

- (i) **The site/premises shall be used as a D1 Mosque only** offering space for a combination of worship, training, education and meetings activities for a maximum of 200 people at any one time; and
- (ii) **The site/premises shall only operate in accordance with the approved travel plan.**

If the agreement is not completed by 15 February 2019, delegate to the HPDRS to **REFUSE** planning permission unless the HPDRS gives his permission to any extension of time to allow the signing of the agreement and permission to be issued.

Conditions to be adjusted/applied as follows (the Update Report will supply full condition wording):

1. AP1 approved plans
2. To have blocked up side openings in accordance with approved details no later than 1 March 2019.
3. To have reinstated the front boundary wall in full accordance with approved details no later than 1 March 2019.
4. To have implemented/completed the frontal landscaping scheme in full accordance with approved details no later than 1 March 2019.
5. To have installed the approved ventilation/extraction system in accordance with approved details no later than 1 March 2019.
6. To have implemented the frontal cycle parking in accordance with approved details no later than 1 March 2019.
7. Restrictive condition: basement ablutions area to be ancillary only
8. Restrictive condition: no amplified music
9. Restrictive condition: all windows/doors/openings shut during services

Informatives:

- 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. BACKGROUND AND UPDATE**

- 1.1 This item was again deferred from consideration at your January meeting, principally because of a failure by the applicant to confirm the numbers that the mosque would be limited to. Members also wanted more information on the method of control of those numbers and a commitment from the applicant that the information presented to the Committee and proposed methods of control would be included, to ensure compliance, within a s106 legal agreement. A further meeting to discuss these points was held with the applicant and the Fire Officer on 17 January. Given the urgency for permission to be gained in order to carry out works before the provisions of the Enforcement Notice come into force, it was agreed that a capacity limit would need to be derived, which is appropriate in Planning, Building Control and Fire Safety terms.
- 1.2 All previous reports are appended to this report for information.

## **2 TRAFFIC AND PARKING**

- 2.2 The report to your January meeting confirmed that the mosque was attracting a large number of visits and that this was not being managed at all, as evidenced by the mosque's over-reliance on the parking zones in the area. This parking situation is not sustainable or appropriate in terms of Policy CS24 or our parking standards.
- 2.3 At the 17 January meeting, using an estimation of the original capacity of the former Elim Church Hall and on the basis of the surveys by both the applicant and RBC Transport, it was agreed that the capacity limit for the mosque should be no more than 200 persons at any one time. This level corresponds with the current fire limit (see discussion below) and officers believe that providing travel to the mosque is managed sustainably, this would be a suitable level, although slightly above the former Elim Church.
- 2.4 In view of the need to make a decision on this matter given the impending compliance date of the Enforcement Notice (4 March 2019), officers have concluded that it is necessary for the capacity of the mosque and journeys to it are controlled via s106 legal agreement. Officers have carefully considered the pros and cons of an agreement over planning conditions, but mainly due to the fact that the mosque could operate over capacity 'behind closed doors' and the LPA wishes to maintain long-term legal control to curb any over-capacity - which would be almost impossible to monitor/police via condition - a s106 agreement is considered to be the only feasible option. The Council's Planning Solicitor concurs with this approach. Travel plans are usually controlled via s106 agreement in any event. These measures would control activity, disturbance and traffic at/to the site. Given the history of this activity, it may be necessary to proactively monitor this situation to ensure compliance with these obligations.

- 2.5 At the time of writing, the Highway Authority has considered a first travel plan from the applicant, but the intended modal shift away from the current high proportion of car journeys is not sufficient. The applicant has been asked to improve their commitment to sustainable journeying to the mosque and an update on this matter will be supplied in the Update Report.
- 2.6 The additional plans now supplied show six lockable cycle parking spaces within the landscaped area. This is a relatively low-level provision due to the need to also maintain safe fire egress in this area, but is nonetheless useful and welcomed. A condition is recommended to secure this.

### **3 FIRE SAFETY**

- 3.2 Fire safety is not a material planning consideration, although officers are of the opinion that the fire limit and overall capacity of the building in planning disturbance/traffic generation terms should be the same figure and the applicant has agreed to this.
- 3.3 As the previous report to the January meeting sets out, the applicant has repeatedly failed to present an agreed fire safety limit with the Fire Authority and/or RBC Building Control. Depending on the retrofit measures that may or may not take place, the fire limit could be increased, hence the various limits cited in earlier reports. At present, the Fire Authority is content for the premises to be limited to 200 persons, based on the current ability of people to escape from the building in a fire event and, to achieve this level, the Fire Authority has advised that the first floor of the building is currently unsafe and should not be used. The Fire Authority wishes to remind the Committee that whatever capacity is set in Planning terms at this site, the Fire Limit will be controlled completely separately. The Fire Authority has also sought assurances that the applicant will be actively monitoring the occupancy of the building, which at this point does not appear to be taking place.

### **4 UPDATED CONDITIONS**

- 4.1 Given that the deadline for compliance with the Enforcement Notice is fast approaching, the applicant has been asked to confirm various matters now, which were to have been the subject of further submissions. The applicant has supplied a full set of updated plans, which officers consider are acceptable. These clarify the methods of blocking up openings, full details of the replaced front boundary wall (which would be as good if not better than the wall which was removed), internal changes (although these are considered to primarily be of concern to the Fire Authority and RBC Building Control) and a landscaping scheme (mostly paving).
- 4.2 These details are suitable and the conditions will be updated and adjusted so that the conditions are restrictive: ie. no further submissions are required and that the works must be completed by 1 March 2019. There are some very detailed clarifications being sought and these will be reported to your meeting.

### **5 CONCLUSION**

- 5.1 Your officers advise that pleasing progress has been made very recently on this application. Although the capacity has not been led by the fire limit (as had been

anticipated) the applicant is amenable to the level agreed by your officers and further, is prepared to commit to this in a legal agreement, controlling traffic at the same time. Conditions have been tightened up to ensure works are undertaken, as opposed to further submissions being made at a later date. Officers welcome these improvements.

- 5.2 Notwithstanding the above, it has taken many months to get to this point and officers are mindful of the need for the applicant to sign up to the legal agreement following your meeting - were you to agree the Recommendation - and comply with the conditions proposed to be applied. Further, at the time of writing, the current travel plan is not considered to be acceptable and officers suggest that you do not resolve to grant permission unless this firm commitment is received from the applicant.
- 5.3 Members will be aware of the enforcement appeal decision on this site, where the appeal Inspector did not support the extension (due to the harm he identified to the Conservation Area and the amenity of adjacent occupiers) to the building and ultimately dismissed the appeal and the decision letter is appended to this report for your information.

**Case officer:** Richard Eatough

**APPENDIX 1:** enforcement appeal decision, 18/18a Waylen Street, dated 4 April 2018

**APPENDIX 2:** previous reports to the committee on this planning application

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## Appeal Decision

Site visit made on 8 January 2018

by **Thomas Shields MA DipURP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 04 April 2018

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### Appeal Ref: APP/E0345/C/17/3178555 18-18A Waylen Street, Reading, RG1 7UR

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 (the Act).
- The appeal is made by Mr Mohammed Mustack (Bangladesh Association of Greater Reading) against an enforcement notice issued by Reading Borough Council.
- The enforcement notice was issued on 12 May 2017.
- The breach of planning control as alleged in the notice is, without planning permission the:
  - (a) erection of a two storey rear extension on the Land in the approximate location shown cross hatched black on Plan 'B' attached hereto
  - (b) removal of a boundary wall adjacent to the highway in the approximate location marked 'X' to 'Y' on Plan 'B' and shown on Photograph 'C' attached hereto.
- The requirements of the notice are:
  - (a) Take down and remove from the Land the two storey rear extension in the approximate location shown cross hatched black on Plan 'B' attached hereto  
AND
  - (b) Reinststate the front boundary wall in the location shown as 'X' - 'Y' on Plan 'B' attached hereto in the design and proportions of the original as shown in Photograph 'C' attached hereto  
AND
  - (c) Make good any damage to the existing building as a result of the works carried out under (a) and (b) above and remove from the Land all building and other excess materials associated with the said works.
- The period for compliance with the requirements is 9 months.
- The appeal is proceeding on the grounds set out in section 174(2)(a),(f),(g) of the Act.

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### Decision

1. It is directed that the notice be varied in Section 6 by deleting the word "Nine" and substituting instead the word "Eleven".
2. Subject to the variation the appeal is dismissed, planning permission is refused and the enforcement notice is upheld.

### Preliminary Matter

3. A planning application to retain the extension subject of this appeal has been submitted to the Council. It remains undetermined and hence is not material to my decision.

### Appeal site and background

4. The appeal site, 18-18A Waylen Street, comprises two elements. The oldest and principal element is a Victorian 2 storey villa (originally detached) with

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<https://www.gov.uk/planning-inspectorate>

projecting front gable over a 2 storey bay. The frontage is typical of that era, having a more elaborate design and grandeur than the rest of the building, with stone surrounds to the front entrance and all windows, arched windows at first floor, horizontal banding, and brick detailing with contrasted colour strings.

5. A later two storey addition in brick with double timber entrance doors has a much simpler finish with no architectural or decorative embellishments. It appears likely it was constructed as part of the rear church hall development.
6. Planning permission (Ref: 00/01355/FUL) was granted in 2001 for a first floor extension to then existing church hall. However, the Council's evidence<sup>1</sup> indicates that instead of a first floor extension being added, the existing hall was demolished and a wholly new 2 storey extension was erected such that the planning permission was never implemented. Furthermore, the question of whether the development subject of the appeal was constructed lawfully was subject of a Lawful Development Certificate application (Ref: 170154/CLE) which was refused in 2017. That decision was not appealed and no appeal is made on ground (d) in this appeal.
7. Consequently, the 2 storey rear extension subject of this appeal commenced a 'new chapter' in the planning history of the site and must be considered on its own merit.

### **The appeal on ground (a)**

#### **Main Issues**

8. I consider the main issues in this appeal are the effect on the character and appearance of the area and in particular the Russell Street/Castle Hill Conservation Area (CA) in relation to the removal of the front boundary wall, and the effect of the rear extension upon the living conditions of occupiers of adjoining properties with particular regard to their privacy and outlook.

#### *Character and appearance of the area – boundary wall*

9. The significance of the CA, a designated heritage asset, is in part comprised by the architectural and historic interest of the buildings within the traditional pattern and layout of streets in the area. Walls, some with railings, to separate buildings from the highway edge were traditional forms of enclosure. Many of these have now been replaced (as appears to have been the case here prior to its removal) or take different forms. Nonetheless, frontage enclosures remain an important part of the character and appearance of the street scene, and integral to the significance of the CA.
10. Consequently, the removal of the brick boundary wall at the appeal site, so that the whole of the site's frontage is now open to the highway boundary, is at odds with, and detracts from, the prevailing character and appearance of the street scene. It thus fails to preserve or enhance the character and appearance of the CA, thereby resulting in harm to its significance as a heritage asset.
11. In terms of paragraph 134 of the National Planning Policy Framework 2012 (NPPF) I consider the harm to be less than substantial, such that it should be weighed against any public benefits. In this regard no specific public benefits

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<sup>1</sup> Council's Statement - Appendix 4

are advanced in support of the appeal and it is not argued that the boundary wall impaired access to or use of the building.

12. As such, I conclude find that the harm is not outweighed by public benefits. The removal of the boundary wall conflicts with NPPF paragraph 126 which sets out that heritage assets should be conserved in a manner appropriate to their significance. It also thereby conflicts with the requirements of Policies CS7 and CS33 of the Reading Borough Core Strategy (2008) (CS) which, taken together, seek to ensure that all development is of a high design quality that maintains and enhances the character and appearance of the area, including conservation areas.

*Effect on living conditions of adjoining occupiers – rear extension*

13. The 2 storey rear extension is substantial in width, height and depth; its footprint filling most of the rear curtilage. A narrow pathway runs alongside the dividing boundary fence with No. 16 Waylen Street. Along this elevation are tall windows and glazed doors into the main hall. Tall trellising above a dividing boundary wall separates the southern ground floor elevation windows from No. 20 Waylen Street.
14. With regard to outlook, I consider that the extension is excessively large. It is disproportionate and out of scale with the site's rear curtilage. Its 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 outlook of occupiers of those properties. It thereby results in significant harm to the living conditions of those occupiers.
15. It is argued that there is no significant difference between the appeal scheme and that of the approved 2001 scheme, or with the former church hall. However, contrary to the appellant's view, I consider that the appeal extension has a greater massing and dominance than both of those. The 2001 scheme, as approved, would also have been overly dominant. That notwithstanding, it was approved over 17 years ago, in the context of older and now replaced local and national planning policy, hence it does not set a benchmark against which to assess the appeal before me. The appeal scheme is a new chapter as previously described. Accordingly, I have determined this appeal, as I am required to do so, on its individual merit in the context of up-to-date Development Plan policies and material considerations.
16. The position of glazing in the side elevations allow overlooking of the rear gardens of Nos. 16 and 20 and into rear ground floor rooms at No. 16, thereby resulting in both a real and perceived loss of privacy for those occupiers. It would thus be harmful to their living conditions in conflict with Policy DM4 of the Reading Borough Sites and Detailed Policies Document (2012)
17. In this regard I have considered the imposition of planning conditions. Although the trellis to the boundary with No. 20, together with a significant increase in the height of the boundary fencing with No. 16, would to some extent mitigate overlooking, it would not overcome the perception of overlooking. It would also be poor in overall design terms given the context and character of those residential properties. Such a boundary treatment to No. 16 would need to be greater than 2m in height and would in itself be an inappropriately dominant and enclosing feature given No. 16's lower land level. Fixed obscure glazing would also not overcome the *perception* of being overlooked from the existing

windows and glazed doors. In any event, the mitigation of overlooking and loss of privacy would not overcome the harm I have found with regard to outlook.

*Other Matters*

18. The Council raised concerns regarding potential future uses within Use Class D1. Such concern could adequately be overcome by the imposition of a planning condition restricting the use solely to that as currently exists. Hence this issue does not weigh against allowing the appeal. Since the appeal is dismissed for other reasons there is no need for me to consider this matter further.
19. I acknowledge that there are social benefits of the development in providing a place of worship. Furthermore, although not specifically referred to by the parties, I have also had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, in respect of religion or belief and acknowledge the religious needs and freedoms of the users. The implication of the enforcement notice would be that the extension would need to be demolished. Nevertheless, to allow the appeal would be to condone the harm I have identified to the living conditions of occupiers of neighbouring properties, and which cannot be adequately mitigated. Consequently, I do not consider that the PSED outweighs the identified harm.

*Conclusion on ground (a)*

20. The removal of the front boundary wall results in harm to the character and appearance of the area and to the significance of the CA which is not outweighed by public benefits. Added to that harm, the 2 storey rear extension results in significant harm to the living conditions of occupiers of Nos. 16 and 20 Waylen Street with regard to their outlook and privacy. The development thereby conflicts with the aims and objectives of the Council's Development Plan policies. It also conflicts with paragraph 17 of the NPPF which sets out as a core principle that development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
21. For all the above reasons, and having regard to all other matters raised, the appeal on ground (a) fails.

**The appeal on ground (f)**

22. The ground of appeal is that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary.
23. When a ground (f) appeal is made it is essential first to understand the purpose of the notice. Section 173(4) (a) and (b) of the Act provide that the purpose is either: (a) to remedy the breach of planning control that has occurred, or (b) to remedy any injury to amenity which has been caused by the breach.
24. The breach of planning control is the erection of the rear extension and the removal of the front boundary wall. The notice requires the complete removal of the rear extension, reinstatement of the boundary wall, and making good any damage caused. Hence, the purpose of the notice clearly falls within section 173(4)(a); to remedy the breach of planning control that has occurred. Given these factors it is therefore clear that the requirements go no further



than remedying the breach of planning control. Since they go no further than remedying the breach they cannot be excessive.

25. It is argued for the appellant that boundary fencing and obscure glazing would overcome the harm. However, that would not fully remedy the breach of planning control. Moreover, I have considered these matters in the ground (a) appeal.
26. Court judgments have established that in some circumstances consideration can also be given to any apparent "obvious alternative" remedy. In this regard the appellant refers to the approved 2001 scheme. However, for the reasons set out at paragraphs 6, 7 and 15 above, I do not consider it to be such an obvious alternative.
27. The appeal on ground (f) therefore fails.

**The appeal on ground (g)**

28. The ground of appeal is that the period of time for compliance with the notice, in this case 9 months, falls short of what should reasonably be allowed. The appellant seeks a period of 30 months.
29. Although the appellant refers to funding issues, no details of the charity's accounts or any existing or projected funds that might be required solely to achieve compliance with the notice have been provided. Consequently, I am unable to give this consideration much weight.
30. I see no reason why the requirements of the notice in respect of the rear extension could not be carried out within 9 months, even allowing for time to engage and schedule contractors. For practical reasons of access the front boundary wall would best be reinstated after all other works have been completed. Thus a further 2 months would be more reasonable in all the circumstances.
31. I consider an 11 month period is a reasonable period of time for compliance with the notice. It also allows sufficient time for any alternative scheme to be submitted as a part of a planning application as the appellant suggests might be the case.
32. I will therefore allow a period of 11 months. To this limited extent the appeal on ground (g) succeeds and I have varied the notice accordingly.

*Thomas Shields*

INSPECTOR

## COMMITTEE REPORT

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

ITEM NO.

**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).

## 6 BACKGROUND AND UPDATE

6.2 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.

6.3 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.

## 7 TRAFFIC AND PARKING

- 7.2 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.
- 7.3 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.
- 7.4 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.
- 7.5 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.
- 7.6 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).
- 7.7 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).

7.8 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.

7.9 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.

7.10 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.

7.11 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.

## **8 PLANNING POLICY UPDATE**

8.2 Members will be aware that since this application was originally reported, some planning policy changes have taken place.

8.3 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.

## **9 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.

## **10 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.

## **11 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

**UPDATE REPORT:**

**BY THE DIRECTOR OF ENVIRONMENT & 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).

**RECOMMENDATION AMENDED TO:**

**DEFER** for further information.

**1. REASON FOR DEFERRAL**

- 1.1 The Main Agenda report discusses various matters which officers had hoped would be confirmed/resolved by the time of your meeting. These primarily concern the mechanism to control the capacity of the mosque, but also the control of the travel plan and the detailed wording of conditions. Unfortunately, it has become clear that these matters have still not been addressed to officers' satisfaction and in the circumstances, it is recommended that that Members again 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 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)

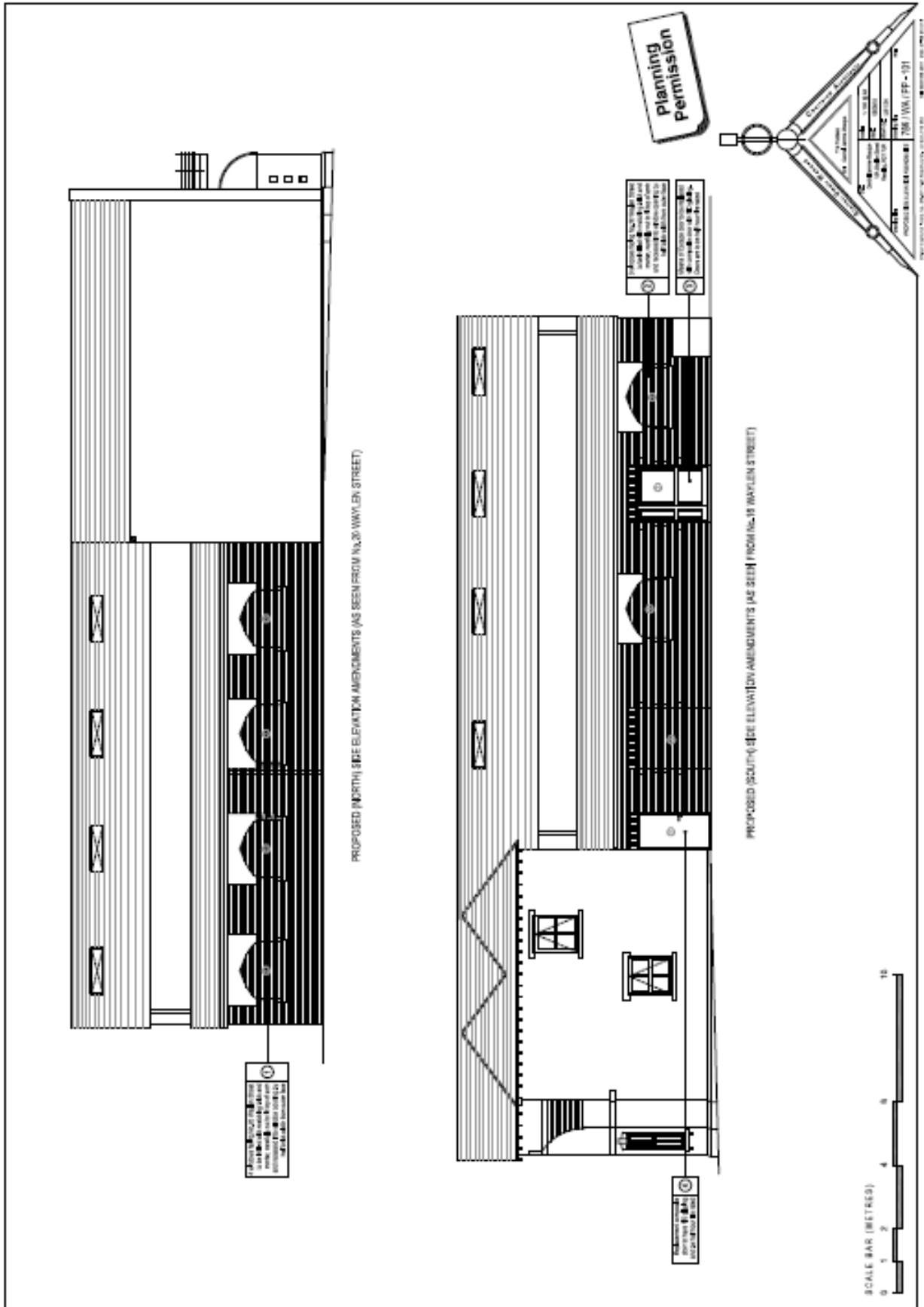
786/WA TI - 541 C WORKING DRAWING: PROPOSED 1<sup>ST</sup> FLR. PLAN FOR PHASE 3 (received x)

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

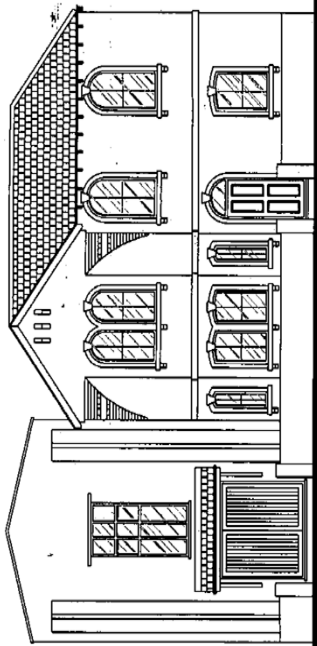
786/WA/PP - 101 PROPOSED SIDE ELEVATION AMENDMENTS (received x)



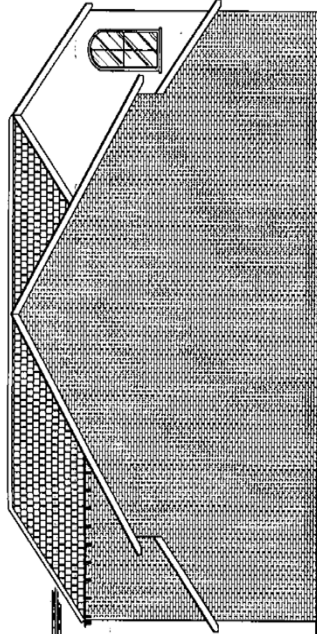
Site in current view from Waylen Street. Unauthorised extension is just visible in the red circle. Front boundary wall is missing.



Revision:      Date:      No.:

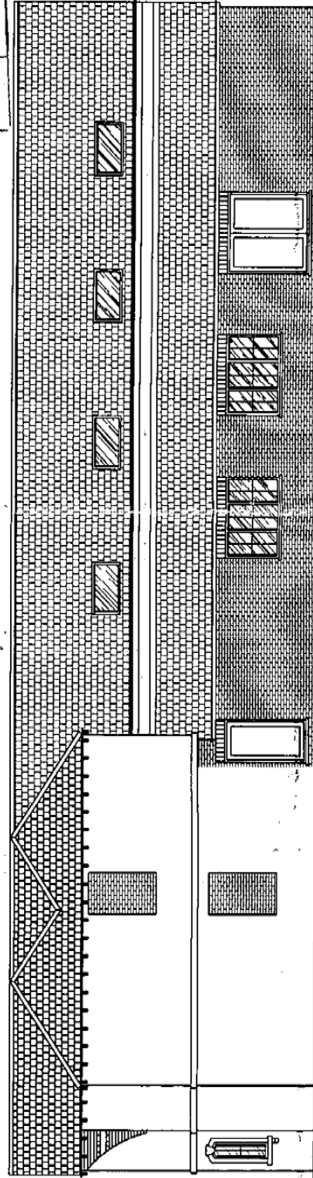


FRONT ELEVATION (prop).



REAR ELEVATION (prop).

READING BOROUGH COUNCIL			
COUNCIL CHAMBERS			
PH	EE	PH	
- 1 NOV 2000			
LS	HS	SS	



SIDE ELEVATION (prop).

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

Client: **M. SAOOD ESQ.**

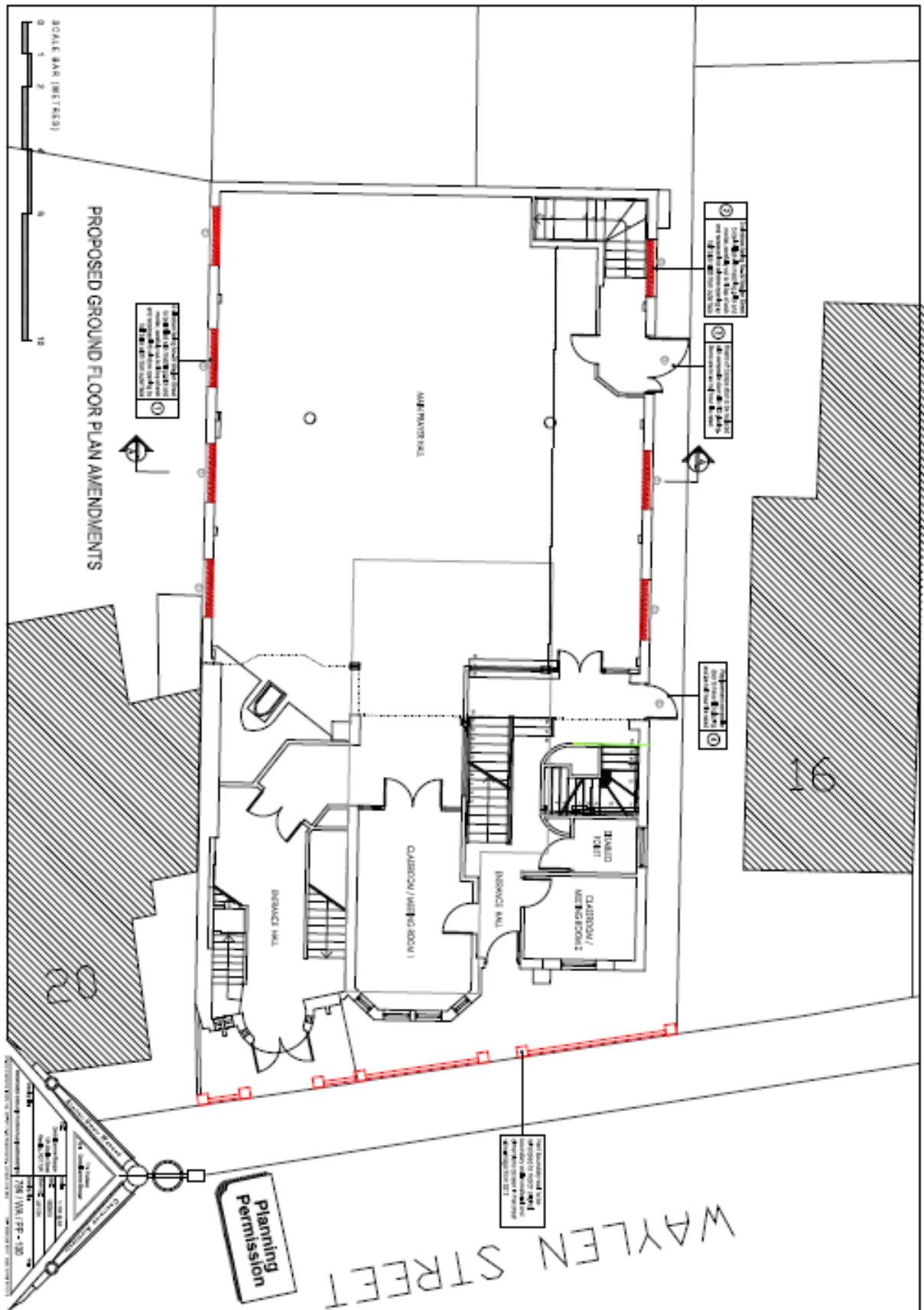
Site Title: **Central Jamme Mosque,  
 18A Waylen Street,  
 Reading.**

Drawing Title: **PROP. ELEVATIONS.**

Scale: **1/100.**  
 Date: **July, 2000.**  
 Drawn By: **P.J.M.**  
 Drawing No.: **7242-00-04.**

A3

Proj. Tel: 0118 9510825 Fax: 0118 9510866  
 E-mail: info@keenpartnership.co.uk





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



DATE	BY	REVISION
12 JUL 2009	DA	1
15 JUL 2009	DA	2

PROPOSED ADDITIONAL FLOOR & FIRST FLOOR REAR EXTENSION AT  
**CENTRAL JAMME MOSQUE**  
 18A WATLEN STREET  
 READING

FOR BANGLADESH ASSOCIATION

David Shandy Design & Build  
 15 Altonham Park Village  
 Greenham Park Village  
 Reading RG2 6SE

DA 011 82 0207

EXISTING FIRST FLOOR PLAN & SECTION  
 18 0118

## UPDATE REPORT:

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 27 June 2018

ITEM NO. 8

**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: 06/02/19**

**Ward:** Abbey

**App No:** 181902/REG3

**Address:** Tyrell Court and Padley Court, The Dell

**Proposal:** Conversion of 4 sets of redundant garages (3 sets in Tyrell Court and 1 set in Padley Court) to form 4 x one bedroom flats

**Applicant:** Reading Borough Council

**Date validated:** 01/11/18

**Target Date:** 27/12/18

**Extension of time date:** 08/02/2019

### RECOMMENDATION

**GRANT** Full Planning Permission, subject to conditions

Conditions to include:

1. Five year time limit for implementation
2. In accordance with the approved plans
3. Materials to match
4. Submission and approval of a phase 1 site contamination assessment
5. Submission and approval of a contamination remediation scheme
6. Implementation of contamination remediation scheme
7. Reporting of unexpected contamination
8. Cycle parking provision to be provided in accordance with the approved plans
9. Bin storage provision to be provided in accordance with the approved plans
10. No parking permits - notify Council of postal addresses of units
11. No parking permits - notify future occupiers of the units

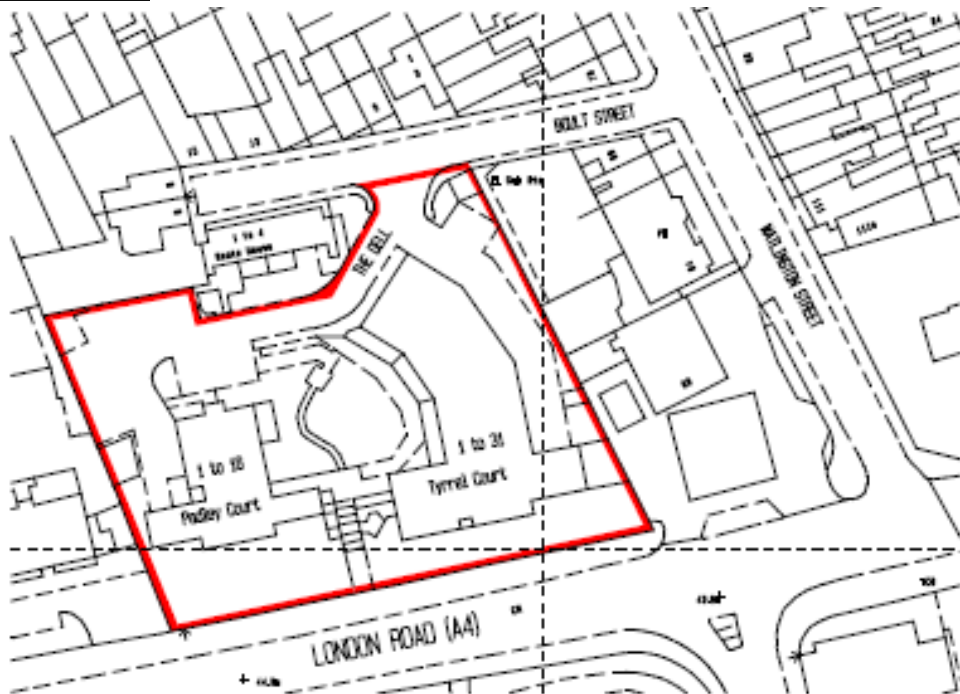
Informatives to include:

1. Terms and conditions
2. Need for building regulations
3. Construction and Demolition subject to Environmental Health
4. Construction hours
5. Positive and proactive
6. No burning of waste on site
7. Highways legislation - damage to highway
8. No parking permits

## 1. INTRODUCTION

- 1.1 Tyrell Court and Padley Court are two four storey buildings of residential flats located on The Dell which is a small cul de sac off Boulton Street. Tyrell Court is larger in terms of footprint containing 31 flats whilst the smaller Padley Court is located to the west and contains 16 flats. Both buildings incorporate small garages at ground floor level.
- 1.2 The buildings are owned by Reading Borough Council and provide housing for the elderly and people who are at risk of homelessness.
- 1.3 The application is to be determined at Planning Applications Committee because the Council is the landowner and applicant.

### Site Location



## 2. PROPOSALS

- 2.1 The application seeks full planning permission for conversion of twelve redundant garages (four sets of three garages) to provide four one bedroom flats. The flats would be used by Reading Borough Council to provide additional affordable housing for local people.
- 2.2 Three sets of three garages (nine garages in total) are to be converted to the east elevation of Tyrell Court creating three flats whilst one set of three garages (three garages in total) are to be converted to the west elevation of Padley Court to create the other flat.
- 2.3 Reading Borough Council Property Services has confirmed that the garages are redundant and have not been used for a number of years due to their small size as individual garages, restricted door widths and access difficulties

due to sloping ground levels to the front of the garage doors. The purpose of the application is to increase the efficiency of the site through conversion of underutilised space and increasing the overall housing support offer of the Council across Reading.

- 2.4 The four proposed one bedroom flats would each be 41m<sup>2</sup> in floor area. The existing garage doors would be replaced to provide each flat with two windows and a front door.
- 2.5 New external bin and cycle parking facilities are proposed to the eastern part of the site.

### 3. PLANNING HISTORY

- 3.1 None.

### 4. CONSULTATIONS

- 4.1 Transport Development Control - No objection, subject to conditions to secure provision of bin and cycle stores and restricting access of future occupants to parking permits.
- 4.2 Environmental Protection - No objection, subject to conditions to secure submission and approval of a contaminated land assessment prior to the commencement of development.
- 4.3 Neighbour Consultation - All flats at Tyrell Court, Padley Court and Neate House The Dell as well as no.s 65-69 London Road and Flats 1-10 84 Watlington Street were notified of the application by letter. A site notice was also displayed at the application site. No letters of representation have been received at the time of writing this report.

### 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 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 DM6: Affordable Housing  
Policy DM8: Residential Conversions  
Policy DM10: Private and Communal Outdoor Space  
Policy DM12: Access, Traffic and Highway-Related Matters

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

5.7 Supplementary Planning Document - Residential Conversions (2013)

9. **APPRAISAL**

The main issues relevant to consideration of this planning application are:

The main issues are considered to be:

- (i) Principle of Development
- (ii) Design and impact on the character of the surrounding area
- (iii) Amenity of future occupiers
- (iv) Amenity of surrounding occupiers
- (v) Transport
- (vi) Affordable Housing
- (vii) Other Matters

(i) **Principle of development**

6.1 Policies CS18 and DM8 (Residential Conversions) and the Residential Conversions Supplementary Planning Document (2013) are both relevant to applications for residential conversions, albeit in the context of converting existing larger residential dwellings to flats. The current proposal is slightly different in that it relates to conversion of existing garages to flats, but nonetheless some elements of both policies provide a useful guide for assessing such applications.

6.2 Policy CS18 seeks that conversion proposals are assessed against their impact on the character and amenity, intensification of activity, loss of

privacy and external amenity space and provision of adequate on-site car parking and bin storage which will be discussed in the later sections of this report.

- 6.3 In addition to the requirements of Policy CS18 above, Policy DM8 includes specific measures to prevent loss of single family housing but this would not be relevant to consideration of the proposed garage conversions.
- 6.4 Policy DM8 also seeks that residential conversions should incorporate at least one unit of family sized accommodation with a minimum of two bedrooms. In this instance the proposal is to provide four one bedroom flats only. However, given the constraints of the existing building, size of the garages and their layout it is not considered feasible to provide a two bedroom unit of accommodation of a suitable size/standard. The current position and layout of the garages also suits the size of units currently proposed, which allows the existing storage areas in between the three units in Tyrell Court to be retained and does not require significant internal alterations or extension of the buildings. The lack of parking and amenity space provision associated with the conversion works also lends itself more to one bedroom rather than family sized units. Furthermore, the proposal is to provide affordable housing accommodation for local people for which there is an acute identified local need.
- 6.5 Given the above and that the specific policy requirements referenced are intended to relate to conversion of existing residential dwellings to flats and not conversion of garages, the provision of four one bedroom units is considered to be acceptable in principle.
- 6.6 In general terms the proposal would also provide an additional four dwellings to the Boroughs housing stock, the principle of which would align with the broad objectives of Policy CS14 (Provision of Housing) in assisting meeting annual housing targets, whilst the location and accessibility of the site for residential development is considered to accord with Policy CS4 (Accessibility and the Intensity of Development). There are no concerns regarding the principle of the loss of the existing garages which due to access issues and their size are not used for parking.
- 6.7 The principle of the proposed conversions is therefore considered acceptable, subject to the relevant material planning considerations below.
- (ii) Design and impact on the character of the surrounding area**
- 6.8 Policy CS7 (Design and the Public Realm) seeks that proposals should maintain or enhance the character of the area of Reading within which they are located.
- 6.9 The proposed conversions would be facilitated within the footprint of the existing garages. Only minor external alterations are proposed with the

replacement of garage doors with two windows and a door to each of the four flats. The proposed fenestration is considered appropriate in terms of style and positioning would not detract from the appearance of the building or the character of the surrounding area.

6.10 Bin and bike storage structures are proposed along the eastern boundary of the site. These structures are modest in scale, given small number of additional flats proposed, and of low level discreet design and siting which would not result in any adverse harm to the character of the area.

6.11 The proposals are considered to be in accordance with Policy CS7 and Policies CS18 and DM8 (Residential Conversions).

**(iii) Amenity of future occupiers**

6.12 The proposed flats would each have independent access via a front door out onto the existing hardstanding areas surrounding the flats. Whilst the units are single aspect all habitable rooms would be served by good size windows providing adequate access to daylight, outlook and ventilation. The ground floor flats would look out on to areas that are used as means of access into the existing residential buildings. These areas are not through routes or pathways and are used by residents and visitors only. It is not considered that the proposed flats would be subject to unacceptable overlooking or privacy impacts.

6.13 At 41m<sup>2</sup> the flats are considered to be of an acceptable size for one bedroom units. Adequate sound proofing would be required to be achieved under the relevant Environmental Health legislation. The proposals are therefore considered to provide a suitable standard of residential accommodation for future occupiers in accordance with Policy DM8 and the Residential Conversions SPD.

6.14 Occupants of the flats would have use of the existing communal outdoor garden amenity space within the site. This is considered acceptable and is in accordance with Policy DM10 (Amenity Space) which states that access to communal amenity space is suitable for flats. The site is also centrally located in relation to Reading and has good access to existing public recreation facilities.

**(iv) Impact on neighbouring amenities**

6.15 Policy DM4 seeks that development proposals should protect the residential amenity of existing and future occupiers.

6.16 Neither the conversion of the garages, the minor elevational alterations nor the siting of the modest bin and cycle storage structures 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.

**(v) Transport**

6.17 Policies DM12 of the Sites and Detailed Policies Document 2012, 2015 and CS20 and CS24 of the Core Strategy seek to address access, traffic, highway and parking relates matters relating to development.

6.18 The application buildings are owned by Reading Borough Council and the application confirms that all of the garages are currently empty and are not used for parking due to their small size and accessibility issues.

6.19 The site is just located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide a parking provision of 1 space per unit.

6.20 The development site is located in an area designated as a Residents Parking Permit Area; Zone 11R. Under the Borough's current parking standards, this proposal may generate additional pressure for parking in the area. Therefore there should be an assumption that any future occupants of the proposed flats will not be issued with resident parking or visitor permits which would be covered by condition and an informative applied. This will ensure that the development does not harm the existing amenities of the neighbouring residential properties by adding to the already high level of on street car parking in the area.

6.21 On-site parking is not proposed for the new dwellings which given the sites central location is considered acceptable, subject to the conditions referred to above to restrict access to on-street parking permits. Existing on-site parking spaces for carers and medics for people using the existing housing would be unaffected.

6.22 Cycle parking is provided for the new flats at a ratio of 0.5 spaces per flat equating to 2 secure cycle parking spaces. Cycle storage lockers are to be provided in the eastern part of the site which is considered acceptable. A small bin storage is also proposed the location of which is also considered acceptable. The provision of these facilities can be secured by way of condition.

6.23 The proposals are considered acceptable in transport terms subject to the conditions referred to above in accordance with Policies CS20, CS24 and DM12.

**(vi) Affordable housing**

- 6.24 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.
- 6.25 The High Court handed down its judgment on the case on 31<sup>st</sup> 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.
- 6.26 At its meeting of the Strategic Environment Planning and Transport Committee on 13<sup>th</sup> 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](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)).
- 6.27 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.*
- 6.28 The proposal is itself intended to contribute towards the Council's offer of affordable housing within the borough and as a conversion of an existing building the proposal would not be required to provide an affordable housing contribution in accordance with Policy DM6.

**(vii) Other Matters**

Environmental Protection Issues

- 6.29 The development site may be affected by contamination due to previous use as garages - e.g. oil or petrol may have been spilled on the ground and the vapours may affect the new occupants if the floor is to remain.
- 6.30 The applicant is responsible for ensuring that development is safe and suitable for use for the intended purpose or can be made so by remedial action. Therefore, a 'phase 1' desk study is required to be submitted to determine whether further investigation is necessary.

- 6.31 A condition is recommended to require submission and approval of a phase 1 contamination assessment prior to commencement of works on site as well as further conditions to require implementation of any remedial action, if required.
- 6.32 Informatives are also recommended to control construction hours and to prevent burning of materials on site in the interests of the amenity of surrounding occupiers.

#### Community Infrastructure Levy

- 6.33 The application relates to conversion of existing floor space only and as such would not be liable for the Community Infrastructure Levy.

#### Equalities

- 6.34 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 & DOCUMENTS CONSIDERED**

Planning, Design and Access Statement ref. RM P17-2365 dated October 2018

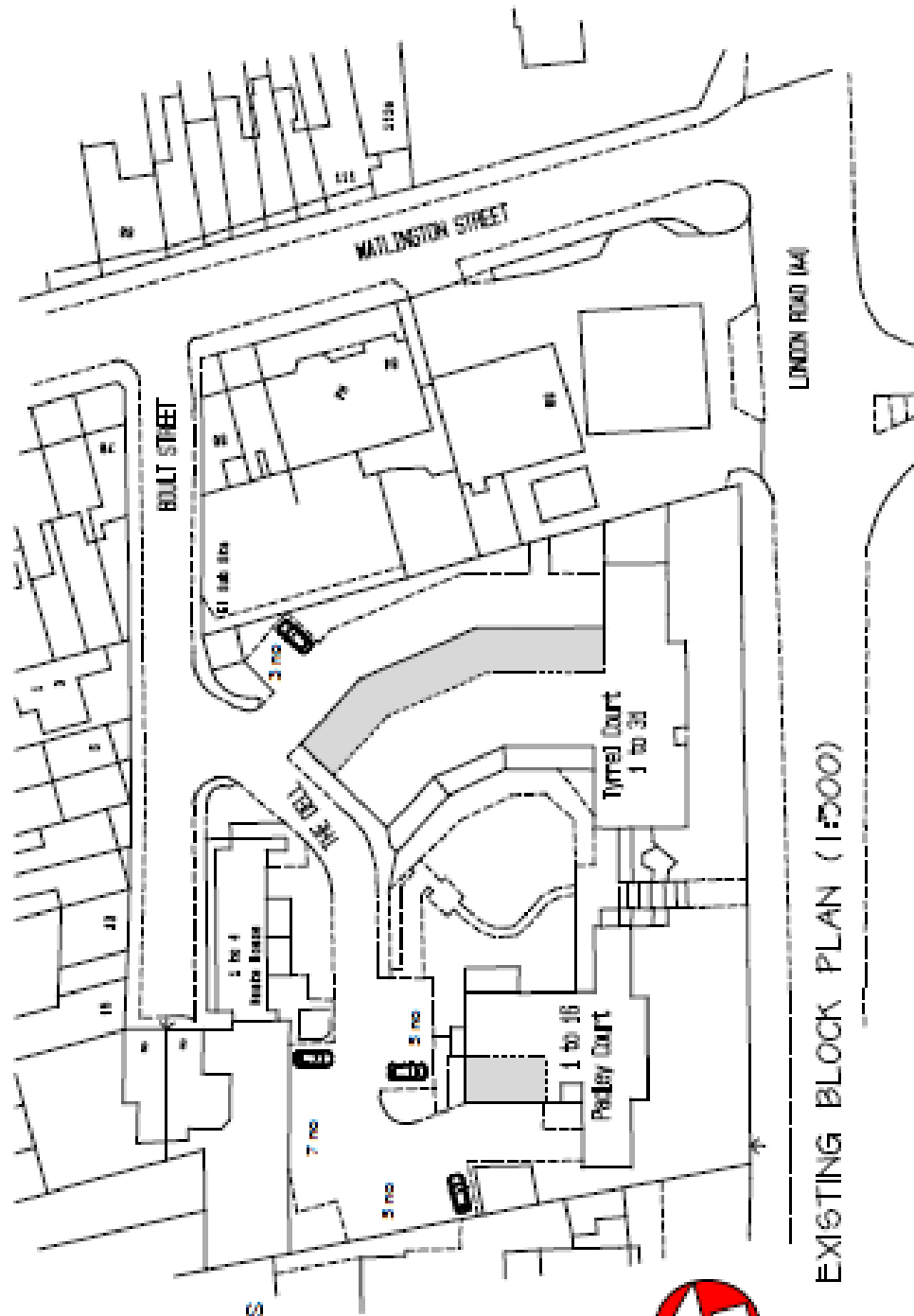
Received by the Local Planning Authority on 23<sup>rd</sup> November 2018

Drawing ref. 16/037/04A - Existing

Drawing ref. 16/037/05B - Proposed

Received by the Local Planning Authority on 2<sup>nd</sup> November 2018

Case Officer: Matt Burns



EXISTING BLOCK PLAN (1:500)

- BLOCK PLAN KEY**  
 31 FLATS TYRRELL  
 16 FLATS IN PADLEY  
 20 NO PARKING SPACES  
 12 NO GARAGES

Existing Site Plan



EAST/NORTH EAST  
EXISTING ELEVATION (1:100)

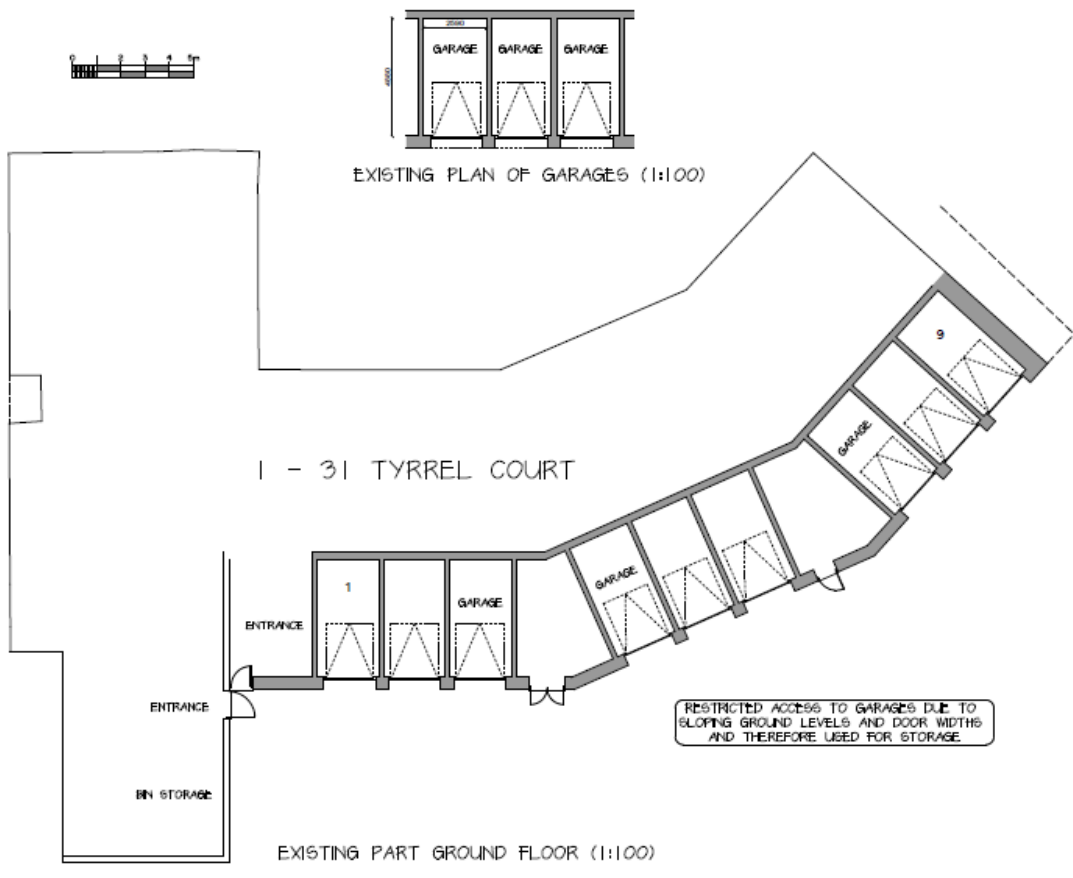


Existing Elevations - Tyrell Court

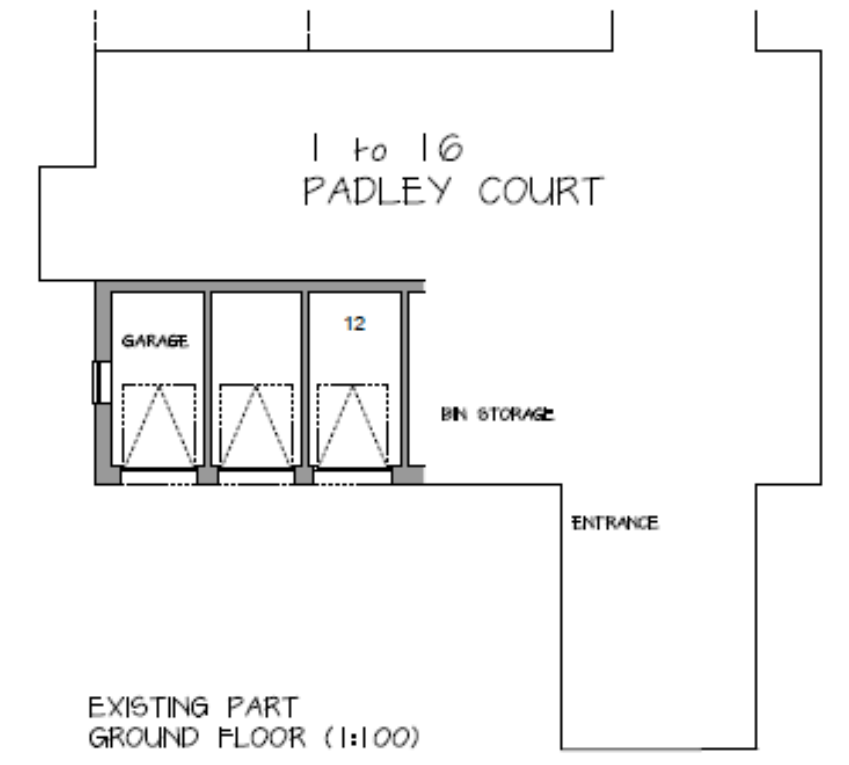


WEST  
EXISTING ELEVATION (1:100)

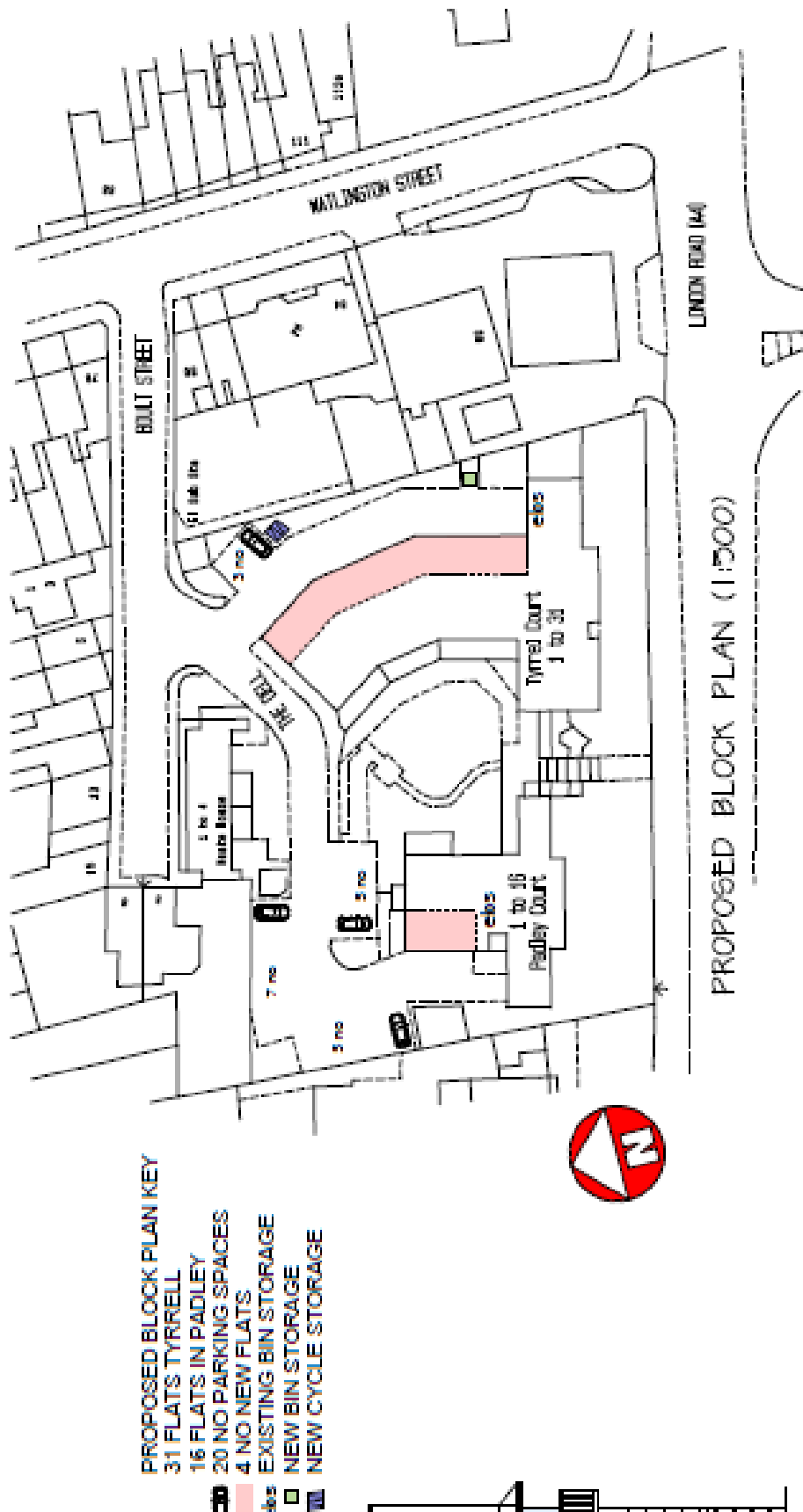
Existing Elevations - Padley Court



Existing Floor Plans - Tyrell Court



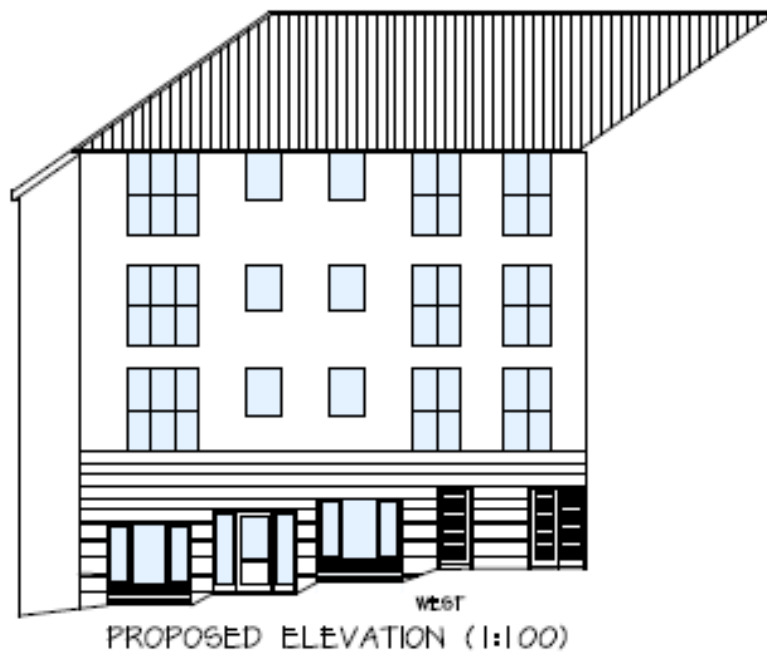
Existing Floor Plans - Padley Court



Proposed Site Plan

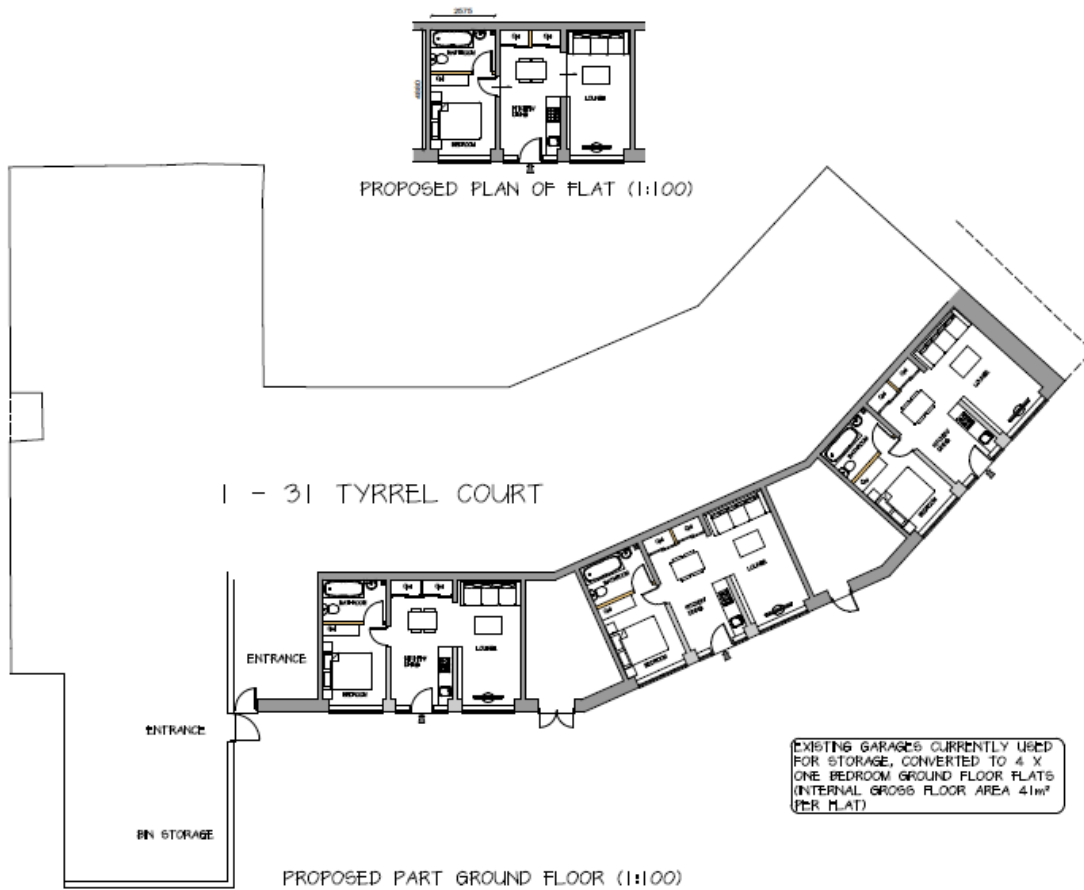


Proposed Elevations - Tyrell Court

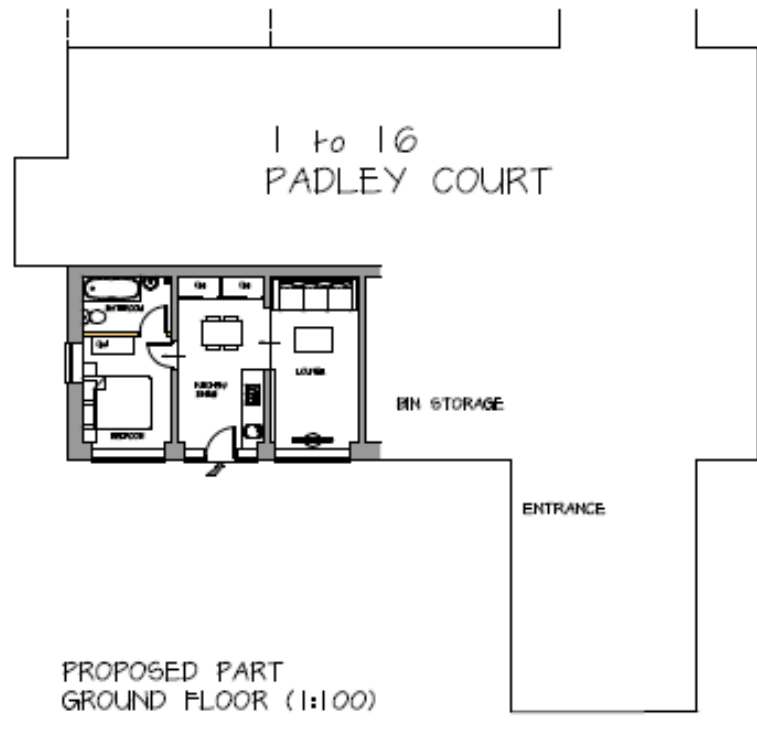


Proposed Elevations - Padley Court





Proposed Floor Plans - Tyrell Court



Proposed Floor Plans - Padley Court

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## COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 6<sup>th</sup> February 2019

**Ward:** Battle

**Application No.:** 170134/FUL

**Address:** 53-55 Argyle Road

**Proposal:** Conversion from D1 use (former mental health Clinic) to C3 use as 10 self-contained flats, three storey side/rear extension, associated access, parking, private amenity space, bin and cycle store (amended description)

**Date received:** 25<sup>th</sup> April 2017

**Application target decision date:** 27<sup>th</sup> February 2019 (Extension of Time)

### 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 27<sup>th</sup> February 2019 (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;
- The establishment of an on-site car club for a minimum of two vehicles, via an agreed car club provider

### CONDITIONS

1. Time Limit - 3 years
2. Approved plans
3. Pre commencement details of all external materials
4. Pre-commencement construction method statement (including noise and dust measures);
5. Pre-commencement hard and soft landscaping details
6. Implementation of the approved landscaping no later than during the first planting season following the date when the development is ready for occupation
7. Landscaping maintenance / replacement for a period of 5 years
8. Pre-commencement BREEAM Domestic Refurbishment Sustainability pre-assessment estimator report demonstrating a minimum BREEAM rating of 'Very Good'
9. Pre-occupation final BREEAM Certificate Pre-occupation implementation of cycle parking and subsequent maintenance;
10. Pre-occupation implementation of bin storage facilities and subsequent maintenance;

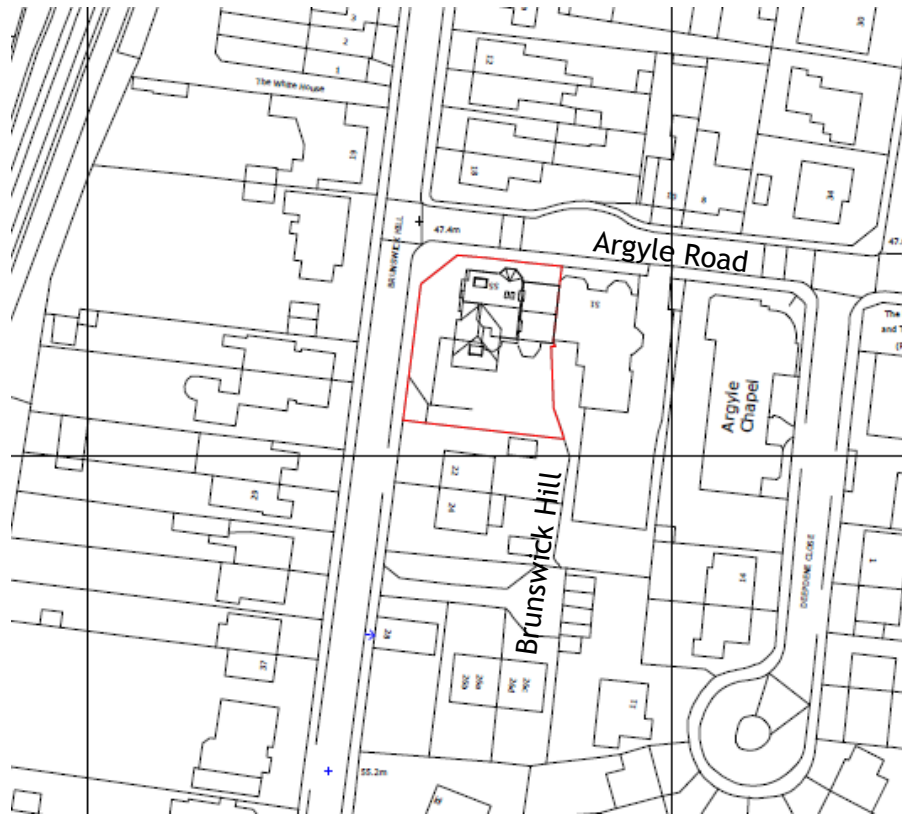
11. Pre-occupation notification of postal addresses (restricting parking permits)
12. No automatic entitlement to parking permits
13. Pre-occupation implementation of obscure glazing
14. Pre-occupation provision of car parking spaces
15. Pre-occupation implementation of SUDS, maintenance and management thereafter
16. Maintenance of SUDS
17. Notwithstanding the provisions of the GPDO 2015 no change to the unit mix (2 x studio flats, 3 x 1 bedroom flats, 3 x 2 bedroom flats and 2 x 3 bedroom flats) shall be made to the development hereby permitted without express planning permission from the Local Planning Authority.
18. Control of construction hours
19. No burning of waste on site

Informatives:

1. Positive and Proactive Statement
2. Highways
3. Sound insulation
4. Section 106 Legal Agreement
5. Pre-commencement conditions
6. Building Control
7. Terms and conditions
8. CIL

## **1. INTRODUCTION**

- 1.1 The application relates to a semi-detached four storey building located at the junction of Argyle Road and Brunswick Hill. The site is accessed from Brunswick Hill.
- 1.2 The building was most recently in use as D1 for medical health care. To the rear the site contains parking spaces and to the west there is communal amenity area. The adjoining property (no.51) has also been converted into residential use (flats) and the surrounding area predominantly consists of residential dwellings of a range of sizes and styles. There is a change in levels across the site as Brunswick Hill slopes up steeply from north to south.
- 1.3 The site is located within an air quality management area.
- 1.4 The application is to be determined at Planning Applications Committee given it relates to conversion of a property to 10 flats and is therefore a major category application.



Site Location

**2. PLANNING HISTORY**

- 2.1 5235 - Conversion to form 2 dwellings - Granted - 16/08/1957
- 2.2 17878 - Conversion to guest house - Granted - 25/09/1970
- 2.3 20825 - Change of use from guest house to hostel - Granted - 15/12/1972
- 2.4 93/00838 - Change of use from residential to mental health clinic - Granted - 10/03/1994
- 2.5 161259/PREAPP - Change of use to C3 for self-contained flats or a large Sui Generis HMO - Pre-application advice given.

**3. PROPOSALS**

- 3.1 The application seeks full planning permission for change of use and conversion of the building from D1 use (former mental health Clinic) to C3 use as 10 self-contained flats including a three storey side/rear extension.
- 3.2 Vehicular access would be via an existing entrance point from Brunswick Hill where the existing car park would be used to provide 7 car parking spaces for the flats. An internal bin store would be provided within the extended building whilst

the western part of the site between the building and Brunswick Hill would provide a shared garden area of 162m<sup>2</sup> and bin store area.

- 3.3 The 10 flats proposed would consist of 2 x studio flats, 3 x 1 bedroom flats, 3 x 2 bedroom flats and 2 x 3 bedroom flats.
- 3.4 Amended plans were submitted during the course of the application following officer concerns raised regarding the massing and appearance of the building in relation to the existing and adjoining building and impact on the wider street-scene. The amended plans submitted reduced the number of proposed flats from 11 to 10 and reduced the height and massing of the proposed three storey side/rear extension by removing a proposed upper roof level floor of accommodation.
- 3.5 The applicant sought pre-application advice regarding the proposed development prior to submitting the application.

#### 4. CONSULTATIONS

##### **RBC Transport**

- 4.1 No objection, subject to conditions to secure implementation of proposed car parking spaces, cycle and bin storage, SUDS, restrictions on access of future occupiers to on-street parking permits and submission, approval of a construction method statement. A section 106 agreement is also sought to secure provision of car club (car sharing) spaces.

##### **RBC Environmental Protection**

- 4.2 No objection, subject to conditions to control hours of construction and to restrict burning of materials on site.

##### **RBC Natural Environment**

- 4.3 No objection, subject to conditions to require submission and approval of a scheme of hard and soft landscaping, implementation of any subsequently approved landscaping scheme and its future maintenance.

##### **Public Consultation**

- 4.4 Flats 1-11 51 Argyle Road and nos 18, 21, 22, 23, 24 and 25 Brunswick Hill were notified of the application by letter and a notice was also displayed at the application site. These properties were also re-notified following the submission of amended plans.

Objections have been received from owners/occupiers of two different properties, raising the following issues:

- Overdevelopment of the site

- Scale of the proposed extension is overbearing
- Loss of day and sun light
- Insufficient parking provision

One letter of observation has been received raising the following points:

- No application site notice was displayed at the site
- Supportive of the development but seek restriction on access of future occupiers to on-street parking permits

## **5. LEGAL AND PLANNING POLICY CONTEXT**

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'. However the NPPF does not change the statutory status of the development plan as the starting point for decision making.

5.2 In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy and Sites and Detailed Policies Document) according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

5.3 Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

### **Reading Borough LDF Core Strategy (Adopted January 2008 - amended 2015)**

- CS1 Sustainable Construction and Design
- CS2 Waste Minimisation
- CS5 Inclusive Access
- CS7 Design and the Public Realm
- CS9 Infrastructure, Services, Resources and Amenities
- CS15 Location, Accessibility, Density and Housing Mix
- CS16 Affordable Housing
- CS18 Residential Conversions
- CS20 Implementation of the Reading Transport Strategy (Local Transport Plan 2006-2011)
- CS24 Car/Cycle Parking
- CS34 Pollution and Water Resources

### **Sites and Detailed Policies Document - (Adopted October 2012, - amended 2015)**

- SD1 Presumption in Favour of Sustainable Development
- DM1 Adaption to Climate Change
- DM3 Infrastructure Planning
- DM4 Safeguarding Amenity

- DM5 Housing Mix
- DM6 Affordable Housing
- DM8 Residential Conversions
- DM10 Private and Communal Outdoor Space
- DM12 Access, Traffic and Highway-Related Matters
- DM19 Air Quality

Supplementary Planning Document: Affordable Housing (July 2013)

Supplementary Planning Document: S106 Planning Obligations (March 2014)

Supplementary Planning Document: Parking Standards and Design (October 2011)

## 6. APPRAISAL

The main issues raised by this planning application are as follows:

- Principle
- Design and Impact on the Character of the Area
- Amenity of Surrounding Occupiers
- Standard of Residential Accommodation
- Unit Mix
- Sustainability
- Natural Environment
- Transport
- Affordable Housing

### Principle

- 6.1 The National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed (brownfield land) and seeks that all housing applications should be considered in the context of the presumption in favour of sustainable development.
- 6.2 The application building is currently under D1 use class for health care services and ancillary offices to support the administration functions. Policy CS31 Additional and Existing Community Facilities of the Core Strategy 2008 (2015) refers that 'proposals involving redevelopment of existing community facilities for non-community uses will not be permitted unless it can be clearly demonstrated that there is no longer a need to retain that facility'.
- 6.3 The historic permission which saw the use of the building changed to health care restricts use of the building to that as a health care centre only and does not permit any other uses under the D1 class. Therefore, it must be considered whether the application clearly demonstrates that there is no longer a need to retain the health care facility.
- 6.4 The applicant has submitted a statement of justification for the proposed change of use and loss of the D1 medical facility with the application. This sets out that the NHS sold the building to the applicant in March 2016 following a lengthy period of marketing whereby no other medical provider showed significant interest in acquiring the building. The reason for the sale was because the NHS



has consolidated their service provision. Furthermore, the NHS themselves made a pre-application enquiry to the Local Planning Authority in 2015 in relation to a potential change of use and conversion of the building to residential. The applicant's statement also sets out that the availability of medical facilities nearby the site, identifying several different doctors' surgeries.

- 6.5 It is considered that the application satisfactorily demonstrates that the health care facility use of the site is no longer required to be retained, in particular given the fact the site was disposed of by the NHS some time ago. The proposal is not considered contrary to Policy CS31 in this respect.
- 6.6 In terms of the proposed C3 residential use, this would provide an additional 10 dwellings to the Borough's housing stock, the principle of which would align with the broad objectives of Policy CS14 in assisting meeting annual housing targets whilst the location and accessibility of the site for residential development is considered to accord with Policy CS4.
- 6.7 There is no in principle objection to the proposed change of use of the building from D1 health care to C3 residential subject to the other policy and material planning considerations set out below.

#### **Character and Appearance of the Building and Surrounding Area**

- 6.8 Policy CS7 seeks that development proposals should maintain or enhance the character of the area of Reading within which they are located.
- 6.9 The existing building is fairly irregular in form with a number of different style roof and bay window projections at different heights. The building to which it is adjoined appears different and is greater in height with brick rather than render finish and also black and white timber boarding to gable features to the upper floor. The buildings do share certain features though with projecting bay windows of different heights and, lower ground floor part basement level and similar style and proportion windows.
- 6.10 The buildings irregular form, slightly uncoordinated appearance, semi-detached nature, relationship with the adjoined dwelling and prominent corner location are such that is a challenging building to extend.
- 6.11 Whilst there is a contrast between the existing building and that which it adjoins, the general form of the application building follows the bulk and massing that you would typically expect of a semi-detached building with roof heights falling and appearing subordinate as they project off from the main part of the building.
- 6.12 In its original form the application sought to reverse the roof profile of the building to the front elevation to Argyle Street, such that the roof profile would step up in height as you move away from the central part of building. This resulted in an unusual and unbalanced appearance to the dwelling and officers raised concerns with the applicant regarding this roof form profile and the dominance of this enlarged part of the building at this prominent corner location

both in terms of impact on character of the host and adjoined building and also the surrounding street-scene.

- 6.13 The amended plans which were submitted and upon which this report is based retain the roof profile of the Argyle Road elevation of the building as existing and remove the proposed roof space accommodation, including an unsympathetic flat roof dormer projection, such that the roof steps down in height away from the central section of the building. The only alterations proposed to the Argyle Road (north) elevation are the replacement of an upper ground floor level window and access door and steps window with four windows, two at upper ground floor level and two at first floor level. These windows reflect the siting and proportion of existing windows to the property and are considered to result in a more coordinated and balanced appearance to this elevation of the building and to enhance its contribution to the street-scene.
- 6.14 The bulk of the proposed three storey extension would infill the area to the rear of the western most part of the building which in its existing form is of lesser depth than that the central section of the building where it attaches to the adjoined property. As such the extension would project only 3m beyond the existing main rear elevation of the property. The extension would appear subservient to the existing building and notably in relation to the lowest part of the Argyle Road elevation. The proposed shallow hipped roof of the extension also assists in creating a subservient appearance. This feature was introduced as part of the submission of amended plans and replaced the original roof design which presented a large gable incorporating roof space accommodation, following officer concerns about the massing and dominance of this design.
- 6.15 The extension does incorporate a significant number of windows to the west flank elevation fronting Brunswick Hill but these are considered to be positioned and portioned such that the elevation does not appear unduly homogenous, whilst the inclusion of two small projecting bays with gable roofs helps break up the façade and roof line and articulate the elevation. Materials would be to match the existing building with white render elevations and slate roof, details of which can be secured by way of condition.
- 6.16 Whilst presenting a more significant elevation to Brunswick Hill, the extension would retain a 6.5m set back from the site boundary in a part of the site where a communal landscaped garden is to be provided. The levels of the site are also set below that of the road such that the extension would not present itself as a full three storeys in height when viewed from street level. A brick boundary wall which wraps around the corner of the site as it turns from Argyle Road to Brunswick Hill that ranges between 1.5m and 2m in height is also to be retained. This would shield much of the lower ground floor level of the extension from views from the road.
- 6.17 The extension would retain 12m separation to the side boundary with the two storey residential dwelling at no. 22 Brunswick Hill to the rear (south) of the application site with a 15m separation to the dwelling itself. The extension would also not project forward of the front elevation and building line of this adjacent

dwelling and its semi-detached pair at no. 24, albeit the building line is varied to the section of Brunswick Hill to the south of the site.

- 6.18 It is considered that the proposed extension retains a suitable level of subservience to the host building and in terms of detailed design is considered to integrate satisfactorily with its character. This subservience and design, the position and set back of the extension from Brunswick Hill and surrounding properties, together with the lower site levels compared to the street are such that the proposal is not considered to appear unduly dominant within the street-scene or harmful in this respect. The façade alterations to the Argyle Road frontage of the building are considered to enhance the contribution of this part of the building to this section of the street-scene and the proposal is considered to accord with Policy CS7.

#### **Unit Mix**

- 6.19 Policy CS15 (Location, Accessibility, Density and Housing Mix) details that developments should provide an appropriate range of housing opportunities in terms of a mix of housing types, sizes and tenures. Policy DM5 (Housing Mix) goes in to more detail and seeks that developments of 10 or more dwellings outside the central area of Reading should ensure that over 50% of dwellings are 3 bedroom or more.
- 6.20 The application proposes 10 units with a mix of the 2 x studio flats, 3 x 1 bedroom flats, 3 x 2 bedroom flats and 2 x 3 bedroom flats. Whilst not in accordance with Policy DM5, this policy more accurately relates to new housing developments more so than flats and in particular not in the context of proposals which are for conversion of existing buildings. In the context of the proposal being a largely a conversion of an existing building the proposed mix, in particular provision of 2 x 3 bedroom units is considered to be good and to accord with the general aims of Policy CS15.
- 6.21 It is recommended that a condition is secured whereby, notwithstanding the provisions of the GPDO 2015, no change to the unit mix (2 x studio flats, 3 x 1 bedroom flats, 3 x 2 bedroom flats and 2 x 3 bedroom flats) shall be made to the development hereby permitted without express planning permission from the Local Planning Authority. This is to safeguard the mix altering to potentially unacceptable mixes in the future, while also having a dual benefit of not altering the sales values of units (which could improve scheme viability) without this being managed and assessed by the local planning authority.

#### **Amenity of Neighbouring Occupiers**

- 6.21 Policy DM4 (Safeguarding Amenity) seeks that development proposals should protect the amenity of existing and future occupiers. Policy CS34 seeks to protect residents from the impacts of pollution.
- 6.22 The proposed development and in particular the proposed three storey side/rear extension is not considered to result in any harmful overbearing impact or loss of light to surrounding properties. The extension is set off the shared boundary with the adjoining property (no. 51 Argyle Road) by 8m. This adjoining property

has been extended similarly to the rear with a similar set off from the shared boundary such that there are no light or overbearing concerns. In addition the separation to the adjacent residential property at no. 22 Brunswick Hill to the south (12m to the boundary and 15m to the dwelling itself) and that to the residential properties on the opposite side of Brunswick Hill (18m) is considered sufficient such that there would be no harm to these properties in this respect.

- 6.23 In terms of privacy, no new windows are proposed to the elevation of the new extension which would face the shared boundary with the adjoined property, which is in use as flats. However, there is an existing bay window projection which is replicated at lower ground, upper ground and first floor levels to the existing rear elevation of the building close to the shared boundary with no. 51. The bay is served by three windows one of which is angled towards the shared boundary and would serve living rooms and bedrooms as part of the proposed conversion works to the existing building. It is considered reasonable to require the window which is angled towards the shared boundary to be obscurely glazed to upper ground floor and first floor level to prevent any direct views and overlooking to the adjoined property. This can be secured by way of condition.
- 6.24 The separation distance to no.22 Brunswick Hill, the adjacent dwelling to the south of the site and that to the dwellings on the opposite side of Brunswick Hill (both referred to above), are considered adequate to prevent any undue overlooking or loss of privacy. Whilst no.22 has three windows facing the application site these are small windows serving non-habitable spaces.
- 6.25 Suitable noise mitigation upon the existing residential occupiers of the adjoined building (no. 51 Argyle Road) would be secured under the relevant building regulation requirements. In terms of the general impact of the change of use, the site is of a good size and located in an existing residential area. The use of the site and extension of the existing building to provide 10 flats is not considered to result in an over intensive use or to result in any general noise and disturbance concerns to existing surrounding residential properties.
- 6.26 Construction related noise, dust and traffic related concerns would be addressed by way of a construction method statement to be submitted and approved by the Local Planning Authority prior to the commencement of development on site.
- 6.27 The proposed development is not considered to result in any adverse harm to the amenity of surrounding occupiers and accords with Policies DM4 and CS34.

#### **Standard of Residential Accommodation**

- 6.28 The unit and room sizes proposed are considered adequate and to provide a reasonable living space for future occupants. In addition it is considered that the proposed layout and assignment of rooms to windows would allow for adequate outlook and daylighting for each flat.
- 6.29 Policy DM10 (Private and Communal Outdoor Space) seeks that useable private or communal amenity spaces are in keeping with the character of amenity

spaces to the surrounding area, noting that communal amenity spaces are likely to be acceptable for flats. The proposal incorporates a shared garden of 162m<sup>2</sup>. This is considered to be adequate for the proposed development, given the site's relatively central location and access to nearby public recreation facilities.

- 6.30 The proposed development is considered to provide a suitable standard of amenity for future occupiers and accords with Policies DM4 and DM10. There is level access to the lower ground floor of the building to the rear. As a conversion of an existing building this is considered to be acceptable in the context of Policy CS5 (Inclusive Access).

#### **Sustainability**

- 6.31 In accordance with Policy CS1 and the Sustainable Design and Construction SPD (2007), as a residential conversion, the proposal would be required to demonstrate a BREEAM Domestic Refurbishment level of 'Very Good'. Details of this shall be secured by way of a suitably worded condition.
- 6.32 The proposals include a sustainable urban drainage scheme (SuDS). This has been reviewed by Local Flood Authority via RBC Transport Officers and is considered to be acceptable. Implementation of the drainage scheme can be secured by way of condition prior to occupation of the development, as well as its future maintenance and management.

#### **Natural Environment**

- 6.33 Policy CS7 seeks that to secure appropriate landscaping as part of the development proposals.
- 6.34 There are no trees of any particular arboricultural quality within the site that would be impacted upon by the proposed development.
- 6.35 The RBC Natural Environment Officer recommends that additional tree planting is secured to soften the visual impact of the new proposed extension from Brunswick Hill and this, together with implementation and maintenance of a landscaping scheme, can be secured by way of condition in accordance with Policy CS7.

#### **Transport**

- 6.36 Policies DM12 of the Sites and Detailed Policies Document 2012, 2015 and CS20 and CS24 of the Core Strategy seek to address access, traffic, highway and parking relates matters relating to development.
- 6.37 The site is located in Zone 2, Primary Core Area, of the Revised Parking Standards and Reading Design SPD. This zone directly surrounds the Central Core and extends to walking distances of 2 kilometres from the centre of Reading. The zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone. In accordance with the adopted Parking SPD, the development would be required to provide 1 on-site parking space per dwelling. The Council's Supplementary Planning Document also states

that fewer spaces would be acceptable for residential schemes providing there is no detriment to highway safety.

- 6.38 The plans submitted indicate that the provision of 7 car parking spaces will be available on site which falls below the current requirement. Given the lower than required parking provision on site, the applicant is proposing to enter into a S106 obligation for provision of car club spaces. This will take the form of a partnership with Co-Wheels car club. This was discussed and supported in the pre-application meeting, as a way to encourage car sharing within the local community and prevent any additional pressure on street parking.
- 6.39 Given the close proximity of the development to town and the provision of a car club, the reduced number of car parking spaces is considered acceptable in this instance.
- 6.40 There is a “No Waiting” restriction in the form of double yellow lines directly outside of the property. The development site is located in an area designated as a Residents Parking Permit Area; Zone 08R. Whilst the site is accessible to good public transport links and local shops, the shortfall in residential parking should not be accommodated on the surrounding roads where there is already significant demand for on-street parking. Under the Borough’s current parking standards, this proposal would generate additional pressure for parking in the area. Therefore, there is an assumption that any future occupants of the proposed dwelling will not be issued with a resident parking permit. This would be secured by way of conditions and an informative. This will ensure that the development does not harm the existing amenities of the neighbouring residential properties by adding to the already high level of on street car parking in the area.
- 6.41 Access to the rear of the development will be through the existing driveway on Brunswick Hill into the existing car parking area. No modifications are required to the existing dropped crossing.
- 6.42 Bin storage is shown on the proposed plans and would comply with Manual for Streets and British Standard 5906: 2005 for Waste Management in terms of being located within 15m of the access point of the site. This is to avoid the stationing of service vehicles on the carriageway for excessive periods and is considered acceptable.
- 6.43 In accordance with the Council’s Parking Standards and Design SPD, the development should provide 0.5 secure cycle storage spaces for each dwelling. The plans submitted indicate a bike store within the car parking area, adjacent to the bin storage area. The store will be equipped with secure stands and is considered acceptable.
- 6.44 The proposal is considered to accord with Policies CS20 and CS24 of the Core Strategy 2008, 2015 and Policy DM12 of the Sites and Detailed Policies Document 2012, 2015.

### **Affordable Housing & CIL**

- 6.45 With regard to affordable housing, in line with Policy DM6 and as a proposal for 10 units, a 30% on-site provision is required (3 units). In this instance the applicant is seeking to provide nil affordable housing and has submitted viability justification (as referenced in Policy DM6 in instances where proposals fall short of the policy target). The viability submission has been assessed on behalf of the local planning authority by BPS Chartered Surveyors. BPS has subsequently concluded that the scheme cannot viably support an affordable housing contribution. Although naturally disappointing to officers in light of the pressing need for affordable housing in the Borough, the nil provision at this point in time has been suitably evidenced in a robust manner, in line with the circumstances allowed by Policy DM6.
- 6.46 Notwithstanding this, BPS have recommended that there is a sufficient basis to secure a deferred affordable housing contribution mechanism, which would enable the Council to share in any subsequent uplift in actual value, based on a later re-appraisal of viability. The applicant has confirmed agreement to the principle of this mechanism, with the exact details to be secured within the s106 Legal Agreement.
- 6.47 Furthermore, officers also consider it necessary to secure a further s106 legal agreement obligation relating to affordable housing in this case. This relates to contributions to affordable housing applying on a cumulative basis (rather than individual application basis) should the building be extended / altered (to create further units) or units subdivided (e.g. a 2-bed unit becomes 2 separate 1-bed units) in the future. This is also necessary in part due to (future) conversions resulting in a change of use under 10 units (as could be proposed at a later date) not attracting affordable housing contributions (as per the application of Policy DM6). Hence, in practice, each part of any future proposal at the site shall make an appropriate contribution to affordable housing, having regard to the contribution that would arise from a single assessment across all components.
- 6.48 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. 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) and is being sought to be applied where relevant on other current proposals in the Borough (e.g. 180591 at Mulberry House and 181117 at 34-36 & 38 Southampton Street at the 6<sup>th</sup> February Planning Applications Committee).
- 6.49 The applicant is agreeable to the principle of a S106 Legal Agreement in terms of both obligations. If these elements are secured as recommended, although acknowledging and accepting that no on-site / off-site affordable housing provision or financial contribution is provided at this stage, this has been specifically evidenced, justified and independently reviewed as such, as Policy DM6 allows for. Thus, on balance, this is considered the best possible

contribution towards affordable housing in this instance. The proposal is therefore considered to be policy compliant in this regard.

- 6.50 In terms of Community Infrastructure Levy (CIL) liability the total floor area of the development is calculated as 547.8m<sup>2</sup>. The applicants CIL Additional Information Form states that the existing building had not been occupied in its lawful D1 use for a minimum continuous period of 6 months within the 36 months prior to the application being submitted. On this basis both the floor space of the proposed extension and that to be converted within the existing building would be liable for CIL. Based on the 2018 indexed CIL rate of £148.24 per sq.m for residential development this equates to a liability of £81,205.

#### **Issues Raised in Representations**

- 6.51 Concern was raised as to whether a site application site notice was displayed at the site. Officers can confirm that a site notice was displayed and there is a record of this.
- 6.52 All other issues raised are considered to have been addressed in the main body of the report above.

### **7 Equality**

- 7.1 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010, which identifies protected characteristics or groups. It is considered that there is no indication or evidence (including from consultation on the current applications) that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular planning application.

### **8 CONCLUSION**

- 8.1 The proposed development is considered to be acceptable in the context of national and local planning policy and other material considerations as set out in this report. As such the application is recommended for approval, subject to satisfactory completion of a section 106 legal agreement and the recommended conditions.

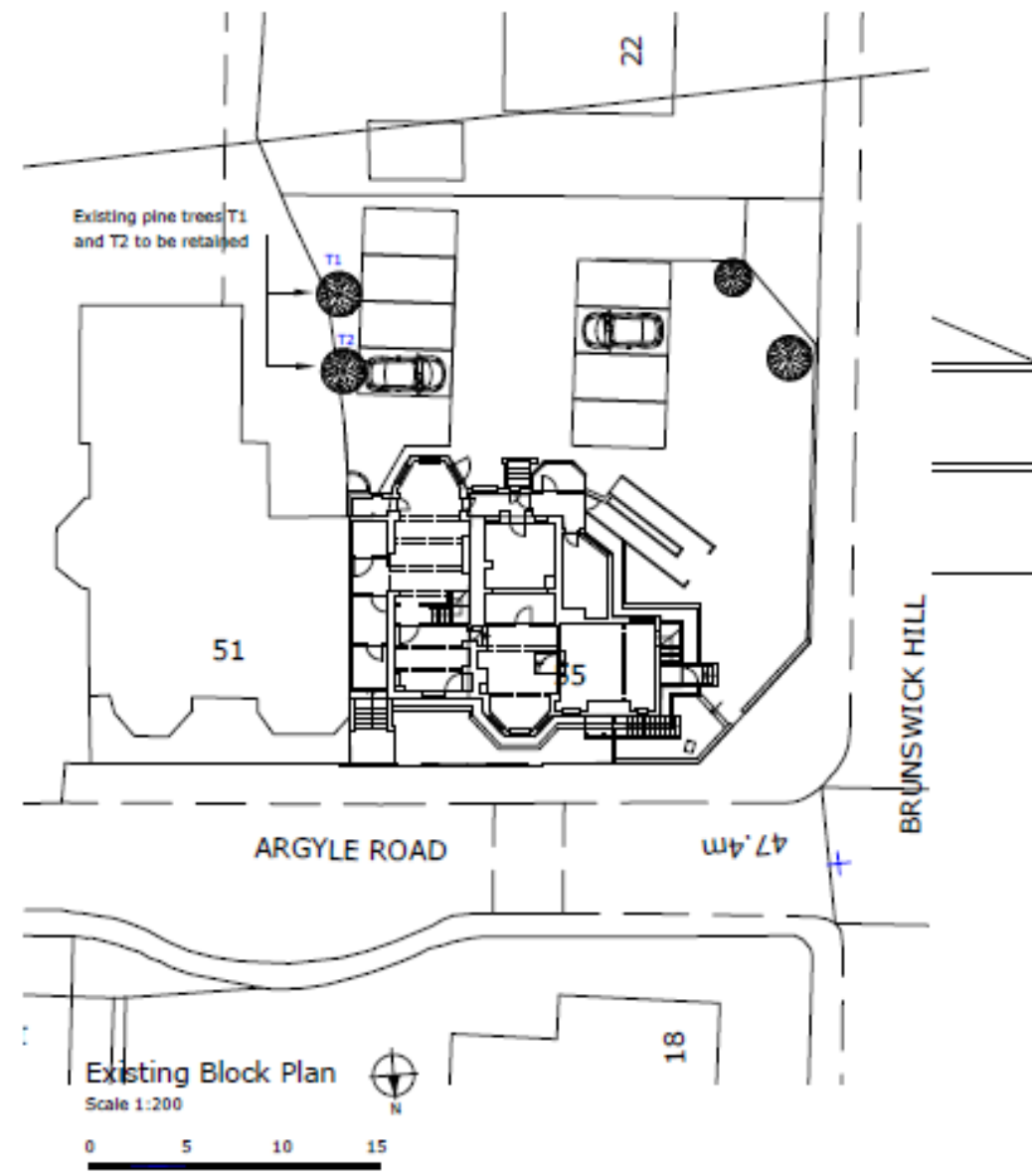
### **9 DRAWINGS SUBMITTED**

- 01 A - Existing Floor Plans
- 02 A - Existing Upper Floor Plans
- 03 A - Existing North and West Elevations with Site Location Plan
- 04 - Existing South Elevations
- 05 A - Existing Street-Scene Elevations with Existing Block Plan
  
- 06 B - Proposed Lower Ground Floor Plan
- 07 C - Proposed Upper Ground Floor Plan
- 08 D - Proposed First and Second Floor Plans
- 09 E - Proposed Elevations



10 E - Site Location and Block Plan

**Case Officer: Matt Burns**



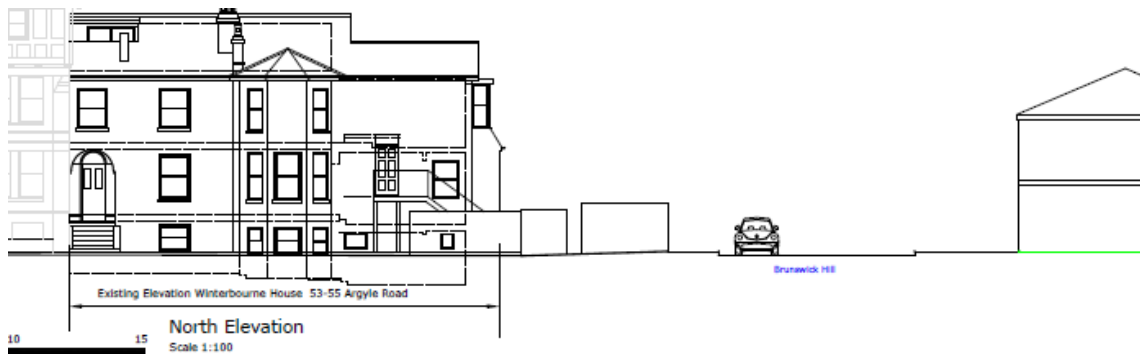
Existing Block Plan



South Elevation  
Scale 1:100

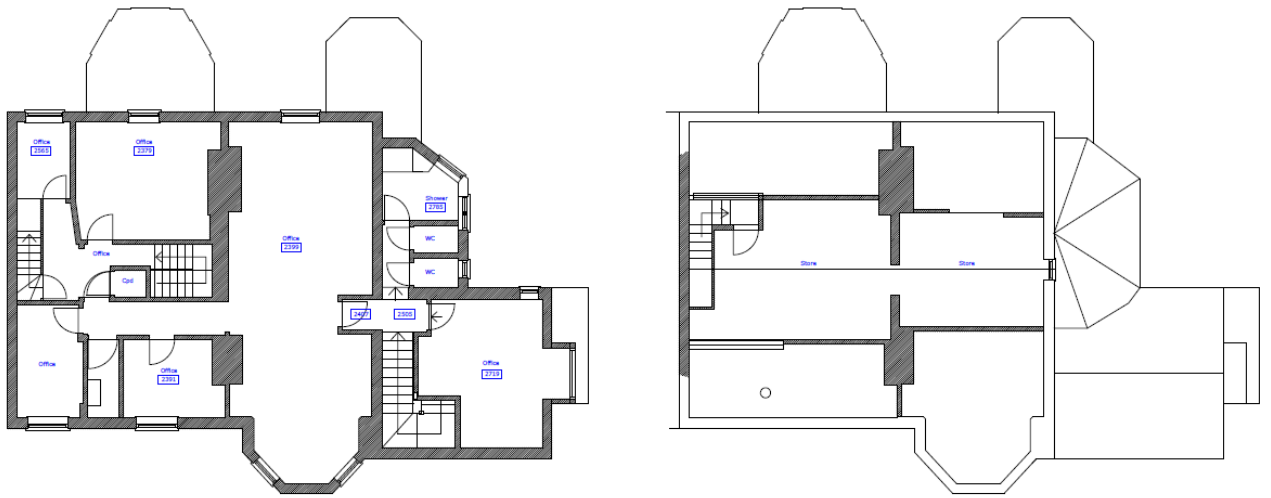


West Elevation  
Scale 1:100

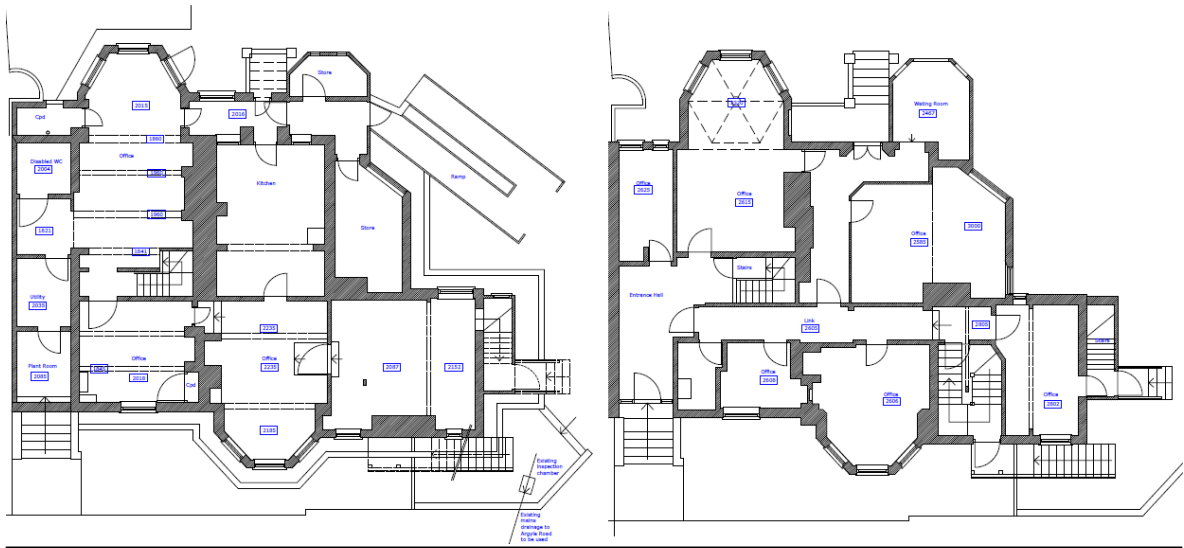


Existing Elevation Winterbourne House 53-55 Argyle Road  
North Elevation  
Scale 1:100

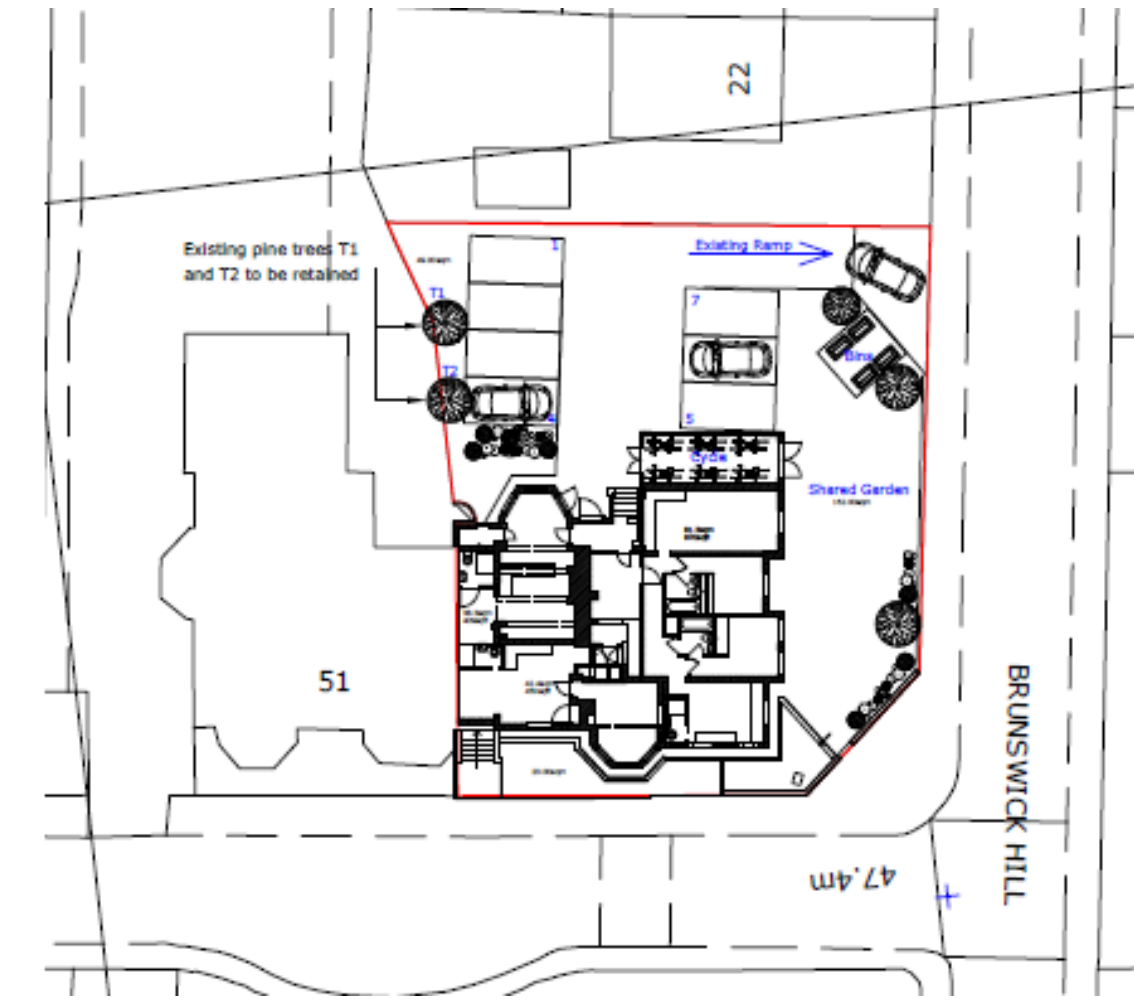
**Existing elevations**



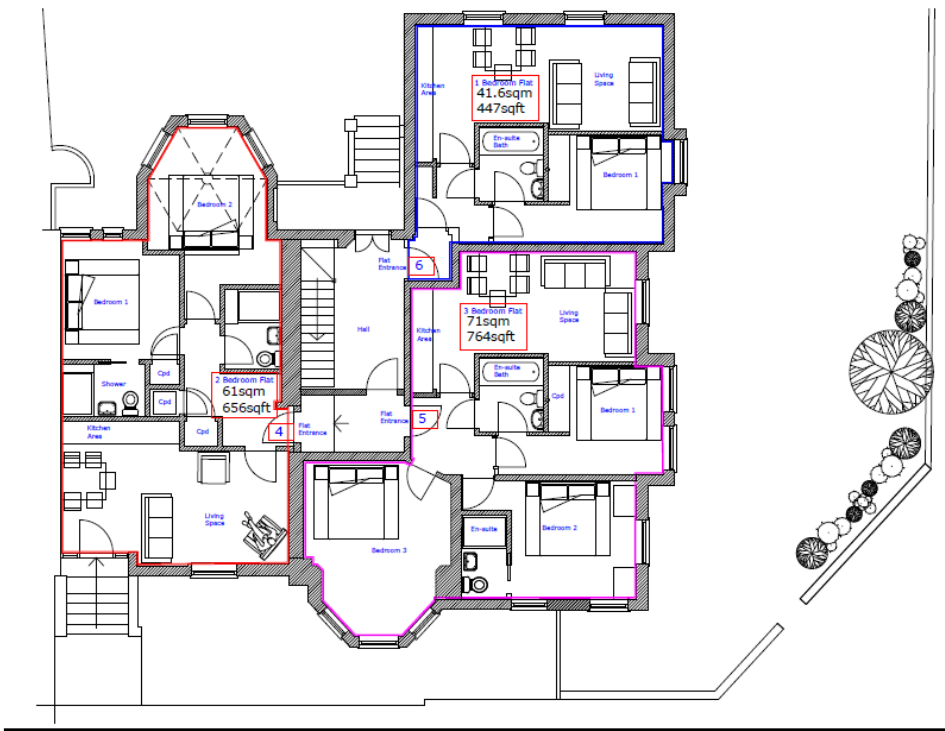
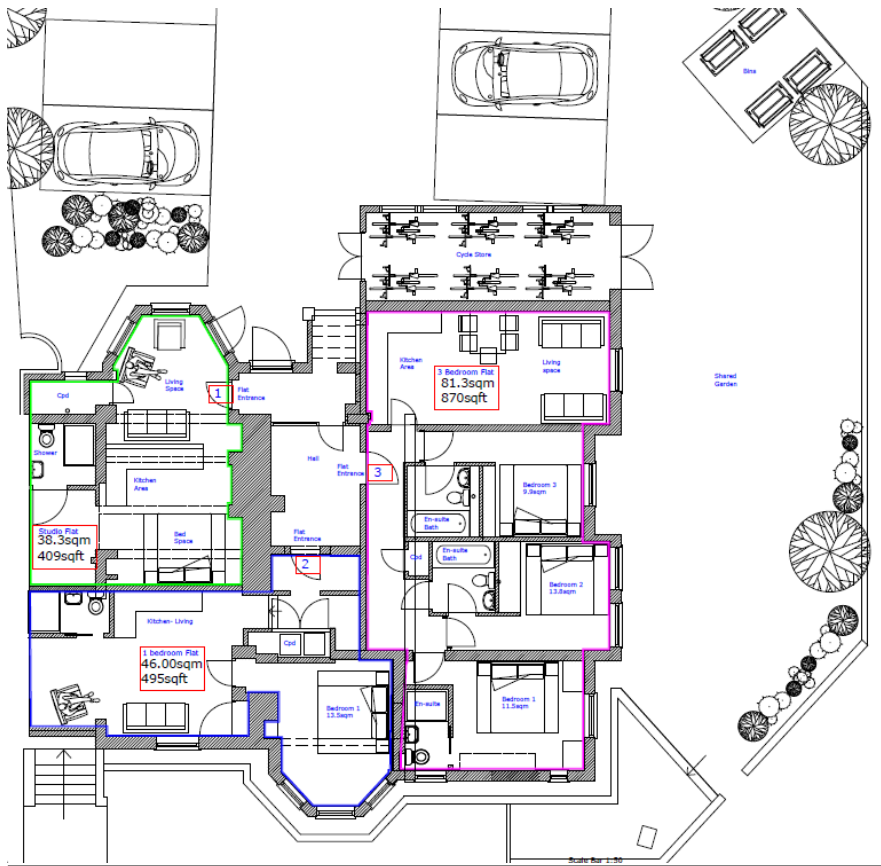
**Existing first and second floor plans**



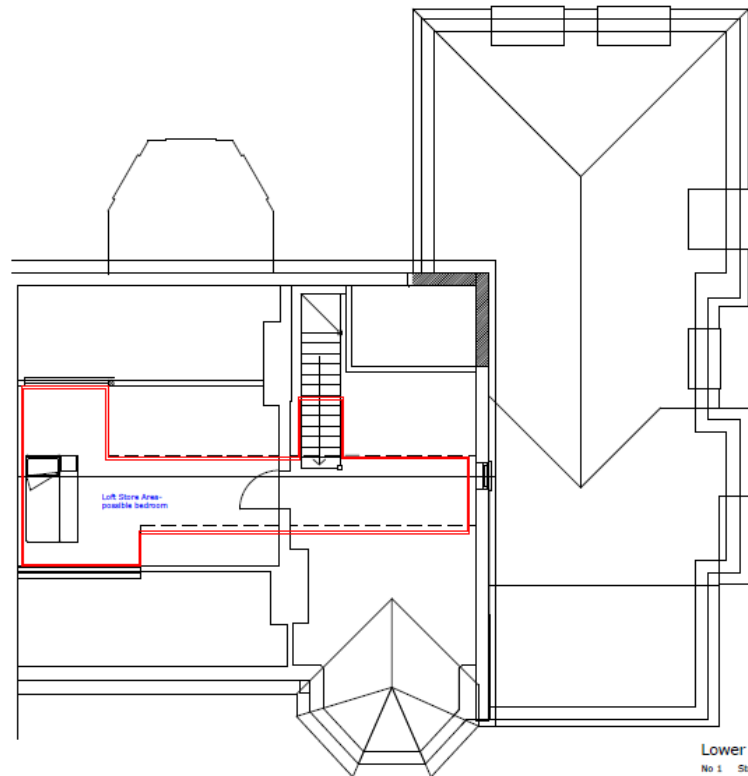
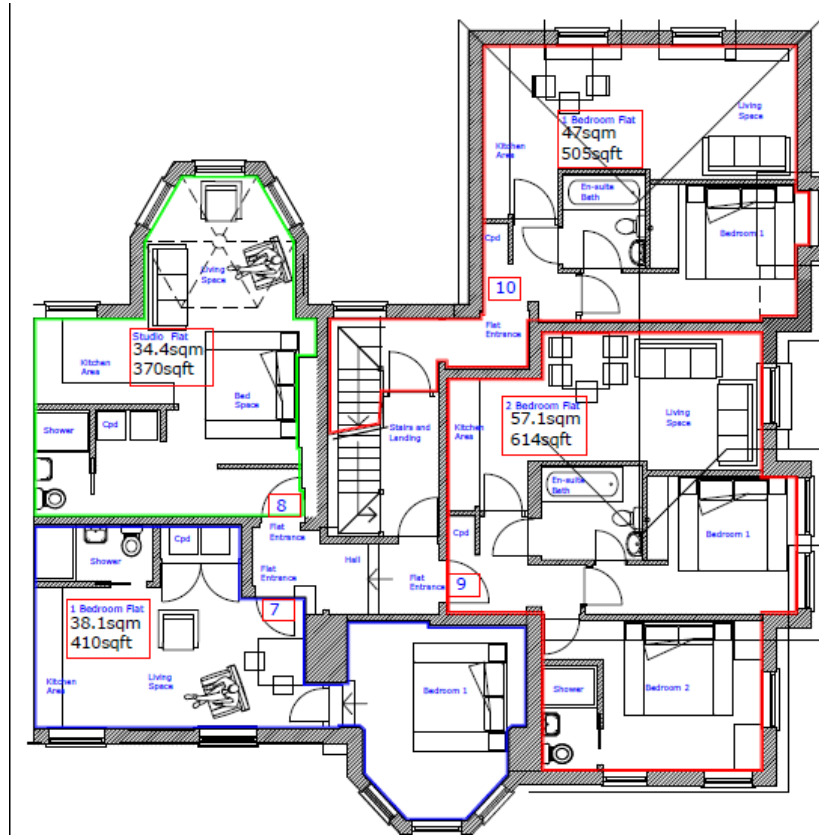
**Existing lower and upper ground floor plans**



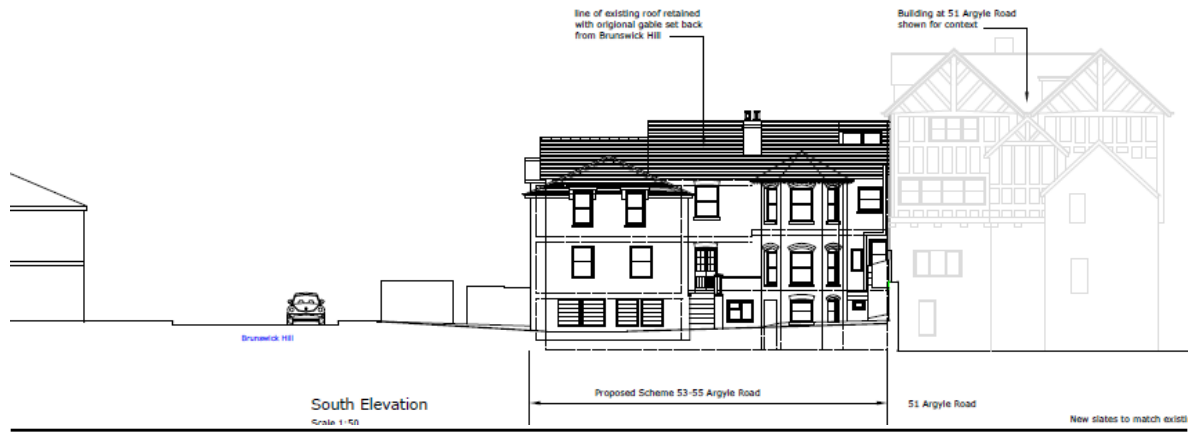
**Proposed Site Plan**



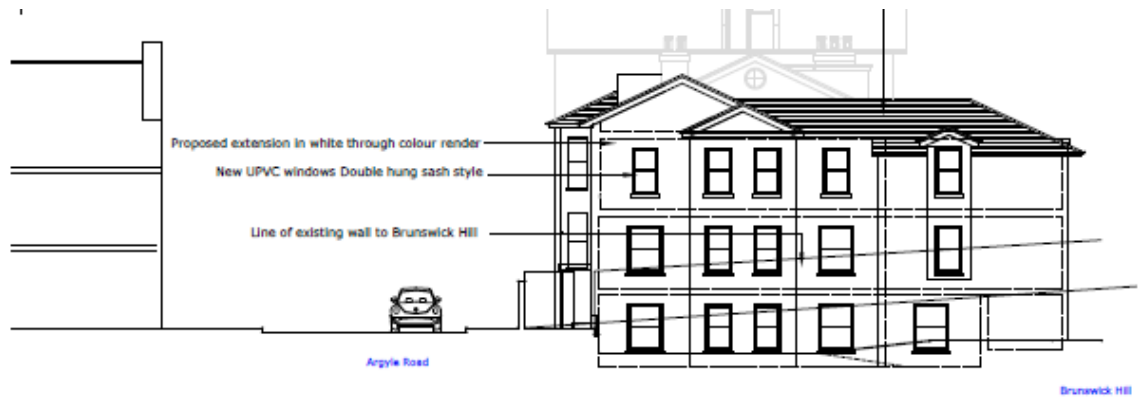
**Proposed lower and upper ground floor plans**



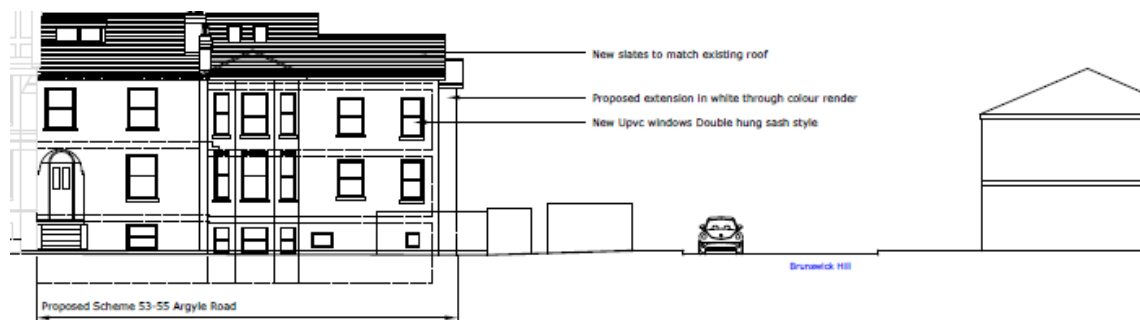
**Proposed first and second floor plans**



### Proposed south elevation



### Proposed west elevation



### Proposed north elevation



## COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 6<sup>th</sup> February 2019

**Ward:** Katesgrove

**Application No.:** 181117/FUL

**Address:** 34-36 & 38 Southampton Street, Reading, RG1 2QL

**Proposal:** Erection of a basement and 4-storey building to provide 11 (1x studio, 8x1-bed & 2x2-bed) residential units (Class C3) and associated works following the demolition of the existing buildings (basement & 3- storey public house at No's 34-36 Southampton Street and 2-storey residential building at No. 38)

**Applicant:** MacNiven Quays Ltd

**Date Valid:** 6/8/18

**Application target decision date:** Originally 5/11/18, but an extension of time has been agreed with the applicant until 27/02/19

**26 week date:** 4/2/19

### 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 27<sup>th</sup> February 2019 (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;
- An Employment, Skills and Training Plan (construction phase only) financial contribution of £1,705.

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: all bricks, cladding, glazing (including rooflights to lightwells), window frames/cills/surrounds, doors, balustrades, guttering and downpipes and boundary treatments
4. Pre-commencement demolition & construction method statement (including noise and dust measures);
5. Pre-occupation details and implementation of cycle parking and subsequent maintenance;
6. Pre-occupation implementation of bin storage facilities and subsequent maintenance;
7. Pre-occupation notification of postal addresses (restricting parking permits)
8. No automatic entitlement to parking permits
9. Pre-occupation implementation of approved noise mitigation scheme

10. Construction hours
11. No burning of waste on site
12. Pre-commencement programme of archaeological work in accordance with a written scheme of investigation
13. Pre-commencement (barring demolition to ground level) hard and soft landscaping details
14. Implementation of the approved landscaping no later than during the first planting season following the date when the development is ready for occupation
15. Landscaping maintenance / replacement for a period of 5 years
16. Pre-occupation details of boundary treatments (including wildlife friendly gaps), to be completed prior to first occupation and maintained as such thereafter
17. Pre-occupation evidence of 50% of dwellings achieving a minimum 19% improvement in the dwelling emission rate over the target emission rate
18. Pre-commencement (barring demolition) submission of SuDS implementation, maintenance and management plan. Completion of SuDS scheme prior to first occupation and thereafter managed and maintained in accordance with the approved plan/details.
19. Pre-occupation requirement for the means of access (specified as a shared access) to be available for use
20. Notwithstanding the provisions of the GPDO 2015 no change to the unit mix (1xstudio, 8x1-bed and 2x2-bed units) shall be made to the development hereby permitted without express planning permission from the Local Planning Authority.
21. Pre-occupation details of obscure-glazed, fixed-shut windows (up to 1.7m) for 3 windows at first floor level (serving unit 4) and 3 windows at second floor level (serving unit 7), both on the south elevation, completion prior to first occupation of units 4&7, and maintenance as such thereafter.
22. 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.

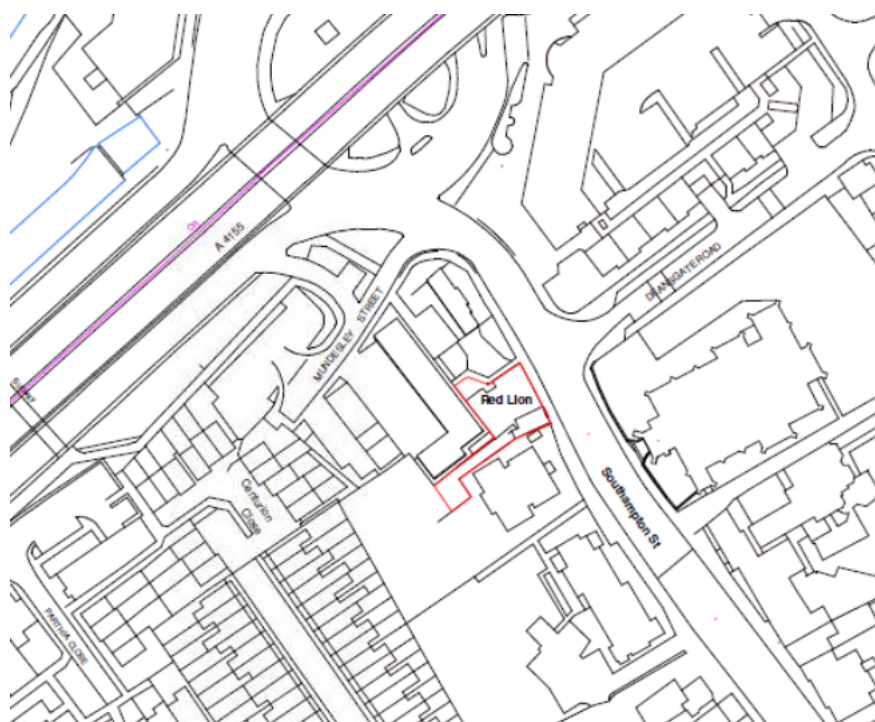
**Informatives:**

1. Positive and Proactive Statement
2. Highways
3. High density residential development and car parking
4. Sound insulation
5. Section 106 Legal Agreement
6. Thames Water sewer pre-application required
7. Pre-commencement conditions
8. Building Control
9. Terms and conditions
10. No advertisement consent approved as part of this application
11. CIL

## **1. INTRODUCTION**

- 1.1 The application site is located on the west side of Southampton Street, opposite the junction with Deansgate Road. The site comprises a vacant former public house (The Red Lion - No's 34-36) and a smaller No. 38 building most recently in use for residential purposes. More specifically, the Red Lion is understood to have ceased trading in 2016 and comprises a cellar, ground floor bar/lounge with kitchen facilities to the rear and ancillary accommodation above at first and second floor level. No. 38 is a modest two-storey building and includes a link to a narrowly accessed amenity space to the rear (overgrown and inaccessible at the time of the officer site visit).

- 1.2 The application site is located within the Reading Central Area Action Plan (2009) boundary, but is not specifically allocated for any future use. The site is also located within an archaeological priority area and an air quality management area. It is located within Flood Zone 1, although Flood Zone 2 is within 10m of the site to the north.
- 1.3 The site is also located outside, but opposite, the boundary of the Market Place / London Street Conservation Area. The Grade II listed St Giles' Church is within the Conservation Area and is located opposite the application site (to the east fronting Southampton Street). The Church is identified within the Conservation Area appraisal as a landmark building. The St Giles' War Shrine, is also Grade II listed. To the north of the site No's 26 and 28 Southampton Street (beyond the advertisement boards and adjacent to the traffic lights leading to the roundabout) are Grade II listed. Both these listed buildings are located outside the boundary of the Conservation Area. The Conservation Area and listed buildings are detailed in full in the RBC Historic Buildings Consultant comments at section 4ii below.
- 1.4 The surrounding area comprises a mix of uses, predominantly residential to the south along Southampton Street, such as the neighbouring 3-storey Solent Court and supported housing at Hamble Court. To the west are two-storey business units within St Giles Court. To the north are the aforementioned advertisement boards, listed No's 26&28 (in commercial use) and the roundabout/flyover leading towards the town centre / Oracle Shopping Centre / River Kennet. To the east are modest two-storey residential properties fronting Deansgate Road and the already mentioned listed Church.
- 1.5 The application is being considered at Planning Applications Committee as the proposal constitutes a major development (10+ residential units). The site in relation to the wider urban area is shown below, together with a site photograph and an aerial view.



Site Location Plan (not to scale)



Site photograph from Deansgate Road



Aerial view from the north

## 2. PROPOSALS

- 2.1 Full planning permission is sought for the erection of a basement and 4-storey building to provide 11 Class C3 residential units (1x studio, 8x1-bed & 2x2-bed) and associated works, such as cycle and waste storage facilities, a shared external amenity area to the rear and rooftop photovoltaic panels. These proposed works will follow the demolition of the existing buildings at the site (basement & 3- storey public house at No's 34-36 Southampton Street and 2-storey residential building at No. 38). This application represents a re-submission of a previously withdrawn application at the site (see relevant history below).

- 2.2 During the course of the application a number of revisions have been made and additional information has been submitted. For example, originally proposed external balconies at first and second floor level on the south elevation have been omitted and arrangements around the bin store / bedroom for unit 3 at ground floor level have been altered. Moreover, extensive discussions have been undertaken regarding scheme viability and a revised viability report has been submitted during the application. None of the changes to the scheme were considered by officers to be of a nature or extent to warrant formal re-consultation taking place.
- 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. This details that the former public house (331 sqm) was last occupied for its lawful use on 01/07/2016 and No. 38 Southampton Street (64sqm) was last occupied on 01/07/17. On the basis of this information (together with the plans to evidence the floorspace figures), when a decision is subsequently issued, from a CIL perspective the floorspace at No. 38 can be deducted (as it will have been occupied for 6 continuous months in the previous 36 months), but the public house will not. Accordingly, when the proposed 682sqm floorspace is noted, the CIL liable floorspace will equate to 618sqm. With a 2019 indexed CIL rate for residential accommodation of £148.24 per square metre, this equates to a CIL contribution of £91,612.32. The standard CIL based informative is recommended to be included on the decision notice.

### **3. RELEVANT PLANNING HISTORY**

Application site:

- 3.1 172328 - Erection of a basement and 4-storey building to provide 12 (3x studio, 6x1-bed & 3x2-bed) residential units (Class C3) and associated works following the demolition of the existing buildings (3-storey public house at No's 34-36 Southampton Street and 2-storey residential building at No. 38). Withdrawn 11/05/18.

34-36 Southampton Street (Former Red Lion Public House) only:

- 3.2 171033 - Demolition of existing former public house and new build construction to provide up to 8 residential dwellings, with associated hard landscaping and amenity space. Withdrawn prior to validation.

38 Southampton St only:

- 3.3 121449 - Certificate of lawfulness for existing use as a 1-bed house. Certificate granted 17/12/12.

### **4. CONSULTATIONS**

#### **i) RBC Transport Development Control**

- 4.1 Southampton Street (A327) is a one way (South to North) main transport corridor and is located within Zone 2 (the primary core area). The site is also on the periphery of Zone 1, the central core area, which lies at the heart of Reading Borough, consisting primarily of retail and commercial office developments with good transport hubs. The site is very well connected, being a five minute walk to

the Oracle Shopping Centre with a high level of public transport accessibility and access to public car parks.

- 4.2 Considering vehicular parking first, in accordance with the adopted SPD the development is required to provide a parking provision of 1 space per flat and 1 visitor parking space, therefore equating to a total of 12. The proposal seeks a car-free development, which given the close proximity to the town centre is deemed acceptable. However parking conditions and informatives will be applied to prevent any future occupants of the new flats from obtaining residents and visitor parking permits for the surrounding residential streets where parking is under considerable pressure. Southampton Street and the surrounding road network all have parking restrictions preventing on-street parking. Double yellow lines run along the front of the development preventing on street parking and a residential parking permit scheme operates in roads in close proximity to the site.
- 4.3 Turning to consider cycle parking, in accordance with the Borough's Parking Standards and Design SPD, a minimum provision 0.5 cycle storage spaces should be provided per flat. These should be conveniently located and lockable with a covered store. The Design and Access statement states 6 (the required minimum) covered cycle storage areas are to be provided, with an indication of locations detailed on the ground floor plan (all externally located, some within private amenity spaces, others in the rear access route towards the shared amenity space. However, no details regarding the exact design of the stores or the exact type of provision has been provided, with this instead secured via a pre-occupation condition.
- 4.4 Bin storage should not be located further than 15m from the access point of the site to avoid the stationing of service vehicles on the carriageway for excessive periods, and should comply with Manual for Streets and British Standard 5906: 2005 for Waste Management in Buildings. Appropriate details of the bin storage areas (part internal & one external store next to unit 3) have been illustrated on submitted plans, with a compliance condition ensuring these are implemented prior to first occupation and maintained thereafter.
- 4.5 Finally, owing to the nature of the proposals and proximity to prominent highways / nearby residential occupiers, a demolition and construction method statement will be secured via pre-commencement condition. This will need to be carefully formulated, implemented and managed owing to the constraints of the site (almost 100% site coverage) and the challenging nature of any redevelopment proposal (from a development perspective in such close proximity to a major interchange).
- 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 details and implementation of cycle parking and subsequent maintenance;
  - Pre-occupation implementation of bin storage facilities and subsequent maintenance;
  - Pre-occupation notification of postal addresses (restricting parking permits)
  - No automatic entitlement to parking permits

ii) **RBC Historic Buildings Consultant**

4.8 In addition to the usual statutory national and local legislative and planning policy framework, the site is also located opposite the boundary of the Market Place and London Street Conservation Area. The Conservation Area was designated in 1972 and extended in 1982. The latest version of the Market Place/London Street Conservation Area Appraisal document was adopted by Reading Borough Council in 2007 (Conservation Studio, 2007).

4.9 Area 2 of the Conservation Area Appraisal (Church Street) is relevant:

Church Street links London Street to St Giles' church and thereby to Southampton Street. In addition to St Giles' Church, the Friends Meeting House (not easily seen because it is set back behind a modern single storey extension) is a key building with a secluded burial ground to the rear (north). On the south side of the street is a modern housing development (outside the conservation area) that stands on the site of the Tin Works that made tins for Huntley and Palmer's biscuits. Nos 4-6b, on the north side, is a row of 19th century buildings, three of which are listed. The eastern end of the street is narrow and confined. It opens out at a road junction between church and historic houses and, unfortunately, modern development and a view northward of the tall multi-storey car park dispel the historic character promoted by the old church, vicarage and graveyard opposite. St Giles' Church is one of the three medieval churches of Reading, much altered and 'restored' by J.P. St Aubyn in 1873. This character area, located between the noise and pollution of traffic in London Street and Southampton Street has a distinctively quiet atmosphere enhanced by the trees and greenery of the churchyard.

4.10 In terms of the features that make a positive contribution to the historic character and appearance of this sub-area of the conservation area, the following are stated:

- Narrow entrance from London Street with attractive view of St Giles' church spire;
- St Giles' Church and vicarage;
- Friends Meeting House and secluded burial ground;
- Row of 19th century houses on north side;
- Prevalent use of brick;
- Tranquil atmosphere;
- Green open space of St Giles' churchyard;
- Remnants of historic floorscape (stone setts and kerbs at edge of carriageway);
- Typical early 20th century parish hall (Southampton Street);
- Trees and greenery adjacent to St Giles' Church and Friends Meeting House;
- Pedestrian friendly area with infrequent traffic.

4.11 Conversely, the features that have a negative impact on the historic character and appearance of this part of the conservation area are identified as:

- Modern single storey extension spoils the setting and appearance of the listed Friends Meeting House;
- The wide intersection of Church Street and St Giles Close, surrounded by modern development, erodes historic character between the historic buildings of Church Street and St Giles' Church;
- Modern housing development intrudes upon historic character;
- Poorly maintained road and pavement surface;
- Wheelie bins intrude upon the historic streetscene;

- Unsightly security fence attached to north side of St Giles' church.
- 4.12 Turning to identified nearby Listed Buildings, further to the introduction section above, the following are described in full:
- No 26 Southampton Street Grade II. Early C19. 2 1/2 storeys altered. Grey brick headers with red brick dressings and quoins. Cogged eaves cornice to tiled roof. Right hand part of house original with 1 window, tripartite casement, segment headed on Ground floor and mansard roof with end chimney and dormer. Left hand part may be a C20 rebuild with slight break: 1 range of windows, 3 light casement on ground floor and a 5 light, probably reused, oak mullion casement on 1st floor; also parapet with cogged cope, no attic. To left it is treated like No 28. The garden railings are cast iron arrow head with patterned bars to gate.
  - No 28 Southampton Street Grade II. Apparently C17 in fact an early C20 replica, timber framed and jettied brick infill, herring-bone below left hand 1st floor windows. Tiled roof with end chimneys. Jetty beams stop chamfered Right hand bay breaks forward slightly with 1 range of 2 light casements. Left hand bay has 3 close-set casements on 1st floor and shop window on ground floor, door panelled and stained to appear early C17.
  - Church of St Giles and Churchyard Tombs, Church of England. The small mediaeval church was rebuilt 1872 by J P St Aubyn in Early English style retaining only the C13 aisle walls and Perpendicular west tower. Ashlar steeple 1873. Flint faced with stine dressings. Tiled roof. 3 bay aisled nave and slight transept. The tracery lancet windows except i. plate tracery twin 2-light lancets in belfry. ii. 3 light Perpendicular west window. iii. Good decorated-type transept windows. iv. Geometric east window. Tower joins at skew and has corner and side buttresses. Pointed west door. Traces of mediaeval walling on south and west sides. 3 bay chancel with flanking chapels. Interior: rich Early English-style chancel. Norman fragments in tower (a capital possibly from the Abbey). Early C16 brass to John and Jane Bowyer. A number of good C18 memorial tablets and a good sculpted memorial to Harwood Awberry (date 1748) by Peter Scheemakers. The graveyard retains much of its C19 atmosphere and contains a number of good tombs. To south-west - 3 chest tombs, the nearest to the church corner is best: early C19 to Thomas Patrick Sourdon, tapering sides, cross gabled capping with corner antefixae. The 2 others are circa 1840 with fluted corners. To north-west and east - another good group of both table and pyramidal-capped tombs. The best is to William Granger circa 1840 - similar to the Sourdon tomb (see above) with incised corner piers. Also notable (1) William Green and Woodard family vault - a late C18 chest tomb. Circa 1811, Portland stone, moulded plinth, oval panels to front and back. A number of tombs at the east end face true east (ie aligned slightly differently from the chancel).
- 4.13 Moving on to explore the existing application site buildings, 34-36 Southampton St is described first. This is the unlisted Red Lion public house, which is a building which retains some architectural character. It is immediate outside the Market Place and London Street Conservation Area, and to the west of the Grade II Listed St Giles' Church. The building is isolated from its historic context, being flanked by a modern housing development and the busy Southampton Street, which are identified as detracting from the historic character of St Giles' Church and the setting of the Conservation Area.
- 4.14 More specifically, The Red Lion is a three bay, cellar and part-two, part-three storey brick building, finished in white render. It is likely to date from the late Victorian era and retains 12 pane sash windows at first storey level and a later third storey extension with six sash windows. The pitched roof is hidden behind a front



parapet wall and there are gable end chimneys. Internally the pub is of a standard open-plan layout with little identifiable as being of architectural or historic interest at ground floor level. Ground floor windows are boarded but appear to be modern replacements from the interior.

- 4.15 The first floor level main room includes two small fireplaces, suggesting a removed wall, with the main dividing timber showing signs of deflection. There are two 6 over 6 sashes with glazing bars; one original Victorian, one replacement. Externally there are c. 9 pattrass plates applied to the north wall, presumably related to cracks which have been filled and patched up from ground floor to roof. The rear of the pub building is subject to a single storey extension. A Victorian staircase survives from first floor level to second floor level.
- 4.16 In terms of No. 38 Southampton Street, this is a small, unlisted cottage-style building attached to the Red Lion and forms a separate building. The building is two storeys high (although the roof has recently been altered), built of brick with timber-framing visible internally and rendered externally. It has a plain tile roof and a large brick chimney stack. The separate building is of one bay wide but originally seems to have been of 2 or 3 bays, with the remaining bays incorporated into the Red Lion, with the addition of modernising (Victorian) face lift from a render finish and parapet wall at roof level.
- 4.17 Internally there are large bressumer with supporting timbers and ceiling/floor joists visible at ground floor level all painted bright blue. The first floor front bedroom has a large bressumer with ceiling/floor joists visible; these have been painted bright blue. The remains of a fireplace are visible at this level. The rear bedroom has no visible timber framing, probably due to its enclosure in plasterboard. Windows have been replaced with modern casements. The attic level, within the roof, has been boarded out and the roof structure is not visible. The whole first floor level floor is uneven and sloping and the passageways and doors have the character of a small cottage.
- 4.18 Turning to the proposals, these in short consist of the demolition of both buildings and the erection of a basement and 4-storey building to provide 11 residential units and associated works. With regard to the demolition works first, the proposals are supported by a Heritage Statement and Structural Surveys. The Heritage Statement estimates the Red Lion to be a late 19th century public house with most of its value being invested in the aesthetic value of the front elevation. This conclusion is considered appropriate, although the Heritage Statement gives this only low value. The Heritage Statement identifies No. 38 as being either a 17th lobby entry house or an 18th century pair of cottages with a large central shared stack with most its value being its evidential value. This conclusion is considered appropriate, although the Heritage Statement gives this evidential value as only low value.
- 4.19 Overall, it is considered that the front elevation of the Red Lion retains some aesthetic interest and character which contributes to the settings of the Listed Buildings. No. 38 also retains some aesthetic interest as an idiosyncratic cottage style building with large chimney stack in the streetscene, as well as evidential value for the survival of internal timber framing potentially from the 17th century. However, it should be noted that Historic England's Principle of Selection for Listing (2010) states:

However, the general principles used are that:

- before 1700, all buildings that contain a significant proportion of their original fabric are listed;

- from 1700 to 1840, most buildings are listed;
- after 1840, because of the greatly increased number of buildings erected and the much larger numbers that have survived, progressively greater selection is necessary;
- particularly careful selection is required for buildings from the period after 1945;
- buildings of less than 30 years old are normally listed only if they are of outstanding quality and under threat.

- 4.20 No. 38 contains a relatively large proportion of fabric which could potentially date from before 1700 (i.e 17th century) or from the 1700 to 1840 (i.e 18th century). Therefore, whilst it is debatable whether it is listable, it is certainly considered potentially a non-designated heritage asset. As the Red Lion incorporates part of the historic fabric of No. 38 (this was not available for inspection at the time of the officer site visit) and also has aesthetic value invested in its main front façade this too could be considered a non-designated heritage asset.
- 4.21 These buildings therefore require justification for their demolition. The supporting documentation includes structural surveys of the Red Lion PH and No. 38 by Scott White and Hookins, structural and civil engineers. Both reports identify significant structural defects in the buildings. Within the Red Lion these are visible externally, principally in the north gable.
- 4.22 In terms of the proposed replacement building, the proposed replacement design consists of a four storey building in a modern idiom, which largely follows the existing footprint of the Red Lion and No. 38. The proposed height has been dropped by c.0.5m. The streetscene drawings show the design is not overly dominant in comparison to surrounding buildings. The proposed materials would consist of red brick delineated with grey brick infill panels and red snap headers to the centre panel with glazed bricks around the doors and chestnut rain screen cladding to the top floor. The glazing would consist of aluminium composite windows and doors with Juliet balconies and glass balustrades.
- 4.23 In conclusion, whilst the retention of the Red Lion and No. 38 would be the preferred result it is accepted it has structural defaults which may make this difficult. Statutory designation as Listed Buildings by Historic England has not been forthcoming. In view of the lack of statutory protection for these buildings and the identified structural problems there are no objections in principle to the proposed replacement building.

**iii) Reading Design Review Panel (DRP) Comments July 2018**

- 4.24 Context: DRP had previously considered pre-application proposals and application proposals 172328 at the site, raising numerous concerns on both occasions. Application 172328 was later withdrawn (see relevant history section above). DRP subsequently assessed further proposals in July 2018 (after the submission of this application, but prior to its validation). The applicant submitted plans, seeking to take into account these further DRP comments, prior to the validation of the current application. The comments below were made before the plans submitted at the time of validating this application.
- 4.25 Comments: In light of the shortfalls in the previous design, the panel outlined that it was a welcome sight to see a change in guard for the architecture with what seemed to be a thought out and methodical approach to design on the site. The current iteration as designed showed progression from the old proposal and

comments from the planning department and the DRP had been applied to help aid the revised approach.

- 4.26 Overall the design shows betterment in design with aspects design integrity and contextual legibility.
- 4.27 The building footprint is still designed to enable apartment area rather than understanding its constraints and there are issues in overlooking and face-face values which will seriously diminish both the existing and new occupants of the residential apartments. This is clearly something that with more thought can be addressed and changed but currently the scheme has a quantum of non-compliant units.
- 4.28 The apartments internally are designed to fit within an odd footprint which looks to respond to the site constraints but is detrimental to a rational layout. This in itself is not a big issue but requires the architect to think more carefully about the layout, circulation and accessibility of the units.
- 4.29 Moving to the main façade, the design has moved a considerable step in the right direction from previous iterations; however there are still some aspects which require more thought - these are as follows -
- The main façade design at first and second floor shows great potential however at ground the architecture is lost to a façade made up of ramps, undercrofts, stairs and further façade setbacks. This needs to be addressed as the building loses its integrity and grounding.
  - Use of topography and innovative internal layouts could further help façade design by rationalising the ground floor.
  - Balconies set on the corner neighbouring the residential apartments are good in theory but dissolve the constancy of the façade design and pose overlooking and face-face distance issues.
  - More detail work needs to be done on the top floor although this in principle is a step in the right direction however its current design gives the impression of it being an afterthought.
  - The window proportions look to be correct in the façade however the ground floor need to reference the historic blocks found a few doors down and relate to this architecture for consistency in design.
- 4.30 The presentation tabled very little in terms of physical detailing of the building however there was strong methodology on materials and the approach the applicant had taken to this was justified.
- 4.31 The key to this becoming a successful design will be in the brick detailing and the applicant along with the council should both explore this in more detail as brick can be used well and also misused in later pre-start conditions to dumb down a design. We suggest that this item is detailed in the planning report and a brick / bricks decided upon pre planning decision so the finish and exact detailing can be carried forward.
- 4.32 What seemed to stand out in the design and presentation from the applicant was process. This process is key to both review panel and applicant being able to understand and explain the design presented and also challenge the final outcome with guided commentary. It was a welcome sight to see the architect present this scheme with some passion and justification against a backdrop of evidence and

methodology. This was missing in all previous iterations of the design and presentations.

- 4.33 There still seems to be pressure on the site for quantum and this still overly shows through into the design and will need to be carefully thought through. Further to this the timing of the application seems to have rushed parts of the design which are evident in the lack of physical detailing and understanding of constraints and opportunities this site can provide. The Applicant should be allowed the time to tweak the design given the above in hand with the council so both parties can understand the final iteration of the scheme and its process.

**iv) RBC Environmental Protection**

- 4.34 There are possible concerns in relation to noise impact on development, air quality and the construction and demolition phase. In terms of noise impacts, a noise assessment has been submitted. This shows that the recommended standard for internal noise can be met internally, if the recommendations from the assessment are incorporated into the design. Accordingly, a condition is recommended for the glazing and ventilation to be installed in advance of the occupation of any residential unit, in accordance with the specifications recommended within the acoustic assessment submitted.

- 4.35 In terms of the proposals potentially worsening air quality in the area, an air quality assessment has been submitted which shows that predicted levels of pollutants of concern (NO<sub>2</sub> and PM) are below the level would require mitigation measures. Accordingly, the proposals are considered appropriate in this regard. In terms of air quality and increased emissions, the proposals do not include parking or CHP, so there is no expected worsening of air quality. However during development there will be some methods which may have small adverse impacts. Some measures to reduce impacts are recommended in the report submitted, which should also be incorporated within the separate construction method statement too.

- 4.36 In relation to the construction and demolition stages, there are potential concerns regarding noise, dust and bonfires associated with the construction (and demolition) of the proposed development and possible adverse impact on nearby residents (and businesses). As such, measures to control noise and dust during the demolition and construction phase will be secured via condition (within the method statement recommended by Transport Planning). Separate conditions will also relate to construction hours and there being no burning of materials/green waste on site. With such conditions secured, no environmental protection concerns are raised with the proposals.

**v) RBC Planning Natural Environment**

- 4.37 The site is within a 10% or less canopy cover area in the Tree Strategy. As such, any opportunities for planting should be maximised. It is noted that the proposals include a communal garden, which is positive, albeit not particularly large and confined to the rear. New landscaping will enhance this area and the design and layout of the hard and soft landscaping should be designed in conjunction with the onsite drainage connecting planting pits with the proposed soakaways and drainage systems in this area so that the trees and smaller plants can filter surface water within the site. Given the existing context, the proposals are considered appropriate subject to conditions in relation to:

- Pre-commencement hard and soft landscaping details
- Implementation of the approved landscaping no later than during the first planting season following the date when the development is ready for occupation
- Landscaping maintenance / replacement for a period of 5 years
- Pre-occupation details of boundary treatments (including wildlife friendly gaps), to be completed prior to first occupation and maintained as such thereafter

**vi) RBC Ecology Consultant (GS Ecology)**

4.38 The site is surrounded by habitat of good suitability for use by commuting and foraging bats - a churchyard with trees 25m from the site, open greenspace 25m to the west and the River Kennet 130m northwest. This application is a resubmission of planning application 172328. The bat survey report (Aspect Ecology, April 2018), submitted previously, is still valid. The bat survey report was undertaken to an appropriate standard and concluded that the risk of the works affecting roosting bats is minimal. The building does possess some minor suitable bat roosting features, however, the site is subject to high levels of ambient light, draughts and is located beside a busy road. Moreover, no bats or sign of bats were observed during the survey. As such, since the proposals are unlikely to affect bats or other protected species, there are no objections to this application on ecological grounds.

**vii) Reading UK CIC**

4.39 Reading UK CIC advise that under the Council's Employment Skills and Training SPD the applicant is required to submit details of a local Employment and Skills Plan (ESP), or financial contribution for employment and training projects in the borough. This is in respect of the construction phase only, owing to the nature of the proposed scheme (residential only). In this case the applicant has indicated a preference for a financial contribution, which is an accepted approach in principle. The contribution, using the SPD formula, amounts to £1,705 and is required to be secured in full via s106 legal agreement.

**viii) RBC Housing**

4.40 The policy requirement for an 11-unit scheme is 3.3 on-site affordable housing units, which in practice would equate to 3 units and a financial contribution to secure the remainder of the 30% affordable housing. However it is understood that a viability submission has been made, which will dictate whether any affordable housing can be provided in this instance.

**ix) RBC Valuations / BPS Chartered Surveyors**

4.41 RBC Valuations instructed BPS (on behalf of the local planning authority) to carry out an independent assessment of the viability submission as part of this application. For context, at the time of the previous application (172328, later withdrawn - see relevant history above) BPS also provided a similar assessment based on the viability submission at that time. The initial BPS review as part of this application found that the scheme was sufficiently viable to provide an affordable housing provision (on site or financial contribution).

4.42 This initial conclusion was rebutted by the applicant, following discussions and a meeting with officers and BPS. Updated information submitted by the applicant included the submission of a Red Book valuation of the existing buildings and a full cost plan (rather than a BCIS assessment), with three separate viability scenarios

then tested - 1) Proposed scheme with 30% affordable housing on an EUV+ benchmark basis; 2) Proposed scheme with 100% private housing on an EUV+ benchmark basis; 3) Proposed scheme with 100% private housing on an EUV benchmark basis. In all three scenarios a significant deficit was identified by the applicant.

4.43 The rebuttal / updated viability report was subject to a further separate independent review by BPS, including BPS undertaking their own assessments and inputting these to form their own viability position. In short, BPS concludes that both a 30% affordable housing scheme and a 100% private sales proposal returns a clear deficit. On this basis BPS conclude that the scheme cannot viably provide an affordable housing contribution. This is in contract to BPS's previous conclusion and is principally attributed to a justifiable increase in build costs by the applicant. On this basis BPS suggest a late stage review mechanism (deferred payment via s106 legal agreement), based on actually incurred build costs, is pursued by the local planning authority.

4.44 RBC Valuations are satisfied that BPS has thoroughly assessed the viability submissions by the applicant. In line with the latest BPS conclusion, RBC Valuations consider it essential and necessary (in light of established planning policies and cases in the Borough) 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. With this secured RBC Valuations are content that the proposals are policy compliant in this regard.

**x) RBC Lead Local Flood Authority (Via RBC Transport, in conjunction with RBC Streetcare Services Manager - Highways)**

4.45 The SuDS (sustainable urban drainage system) proposals are confirmed to be acceptable in principle, as per the drainage report submitted with the proposals. This is subject to a pre-commencement (barring demolition) condition to secure details of an implementation, maintenance and management plan of the sustainable drainage scheme and for the scheme. Thereafter the overall SuDS system shall be implemented prior to first occupation and thereafter be managed and maintained in accordance with the approved details.

**xi) Berkshire Archaeology**

4.46 The site is located within an area of Reading known to have been developed and occupied during the medieval period, with St Giles Church located on the opposite side of Southampton Street, originally built in the 13th Century to serve the community within this area. There is therefore the potential for medieval and later archaeological remains to be located within the area of the site. In addition the Heritage Statement describes No 38 as having 17th century origins.

4.47 The proposed footprint of the new building occupies to the same footprint as the existing buildings so there is likely to be some level of truncation of archaeological remains. The Heritage Statement proposes a scheme of archaeological building recording prior to and during demolition if permission is granted. This work should also include archaeological monitoring of the below ground demolition works, if it

is found that below ground archaeological remains may survive within the site a scheme of archaeological work will be required following demolition. The scope of the work will be dependent on the findings during the monitoring of the demolition work.

- 4.48 Therefore a pre-commencement condition is recommended requiring approval of a written scheme of archaeological investigation is attached to any planning permission granted, to mitigate the impact of the development.

**xii) Historic England (HE)**

- 4.49 HE was not formally consulted on this application, as HE responded to a previous consultation request for application 172328 detailing that they were not required to be notified or consulted under the relevant statutory provisions.

- 4.50 However, after the submission of information by the applicant included a report by Historic England (Advice report 1457872, dated 21/12/18, in respect of whether the application site buildings should be listed or granted a Certificate of Immunity from Listing), HE was informally contacted by officers. This confirmed the authenticity of the report, which concluded:

*After examining all the records and other relevant information and having carefully considered the architectural and historic interest of this case, the criteria for listing are not fulfilled and a Certificate of Immunity from listing should be issued.*

**REASONS FOR DESIGNATION DECISION**

*The Red Lion Public House and 38, Southampton Street, Reading are not recommended for statutory listing for the following principal reasons:*

*Degree of Architectural interest:*

*\* the Red Lion has been greatly altered internally, with the loss of almost all of its original internal features and plan form at ground floor level. Externally, it is of a standard design for its period and has also undergone unsympathetic alteration;*

*\* the adjacent house, 38 Southampton Street, is earlier but is a fragmentary survival, and appears to have lost much of its historic fabric, original appearance and plan.*

*Countersigning comments:*

*Agreed. The Red Lion public house and 38 Southampton Street are too altered to be listed. A Certificate of Immunity should be issued. SG 19/11/18*

- 4.51 Furthermore, in correspondence with HE, it was also confirmed to officers that The Secretary of State has confirmed that he does not intend to list the building(s) and is minded to grant the Certificate of Immunity. A final decision on this is yet to be formally issued, but is expected by the end of January (if this is subsequently confirmed to officers it will be confirmed in an update report).

**xiii) Thames Water**

- 4.52 Thames Water advise that sewer records do not indicate any shared drainage within the site, but there may be newly transferred sewers that Thames Water haven't yet mapped and aren't aware of. If the site owner finds shared drainage, the sewers may need to be diverted, as Thames Water do not allow new builds over public sewers. They will need to submit a pre-development application to Thames Water and then discuss any potential diversions with the engineer dealing with their application. An informative stating this is recommended.

**xiv) Public consultation**

- 4.53 Notification letters were sent to nearby occupiers on 07/08/18, with the statutory time period expiring on 28/08/18. A site notice was erected on 13/08/18, expiring on 03/09/18. A press notice was published on 16/08/18, expiring on 06/09/18. A total of 6 responses have been received, comprising 1 in support and 5 objections.
- 4.54 Summarising the response in support first, Riverside Direct, Hamble Court (Southampton Street) does not have any objections and welcome the proposal, stating:
- We have been consulted throughout the process including the initial proposal that had been planned in 2017.
  - The residents at Hamble and Solent Court (RG1 2QT) have also been consulted and updated when we have had consultations with Macniven Quays Ltd and are supportive.
  - We would be pleased to see the project progressing as it would improve the surrounding area. The pub which is located at the proposed development site has now become a derelict building. It also appears to have been subject of some squatting, which has not helped the external environment and this has promoted rubbish being left in and around this location.
  - We consider that the proposed development would be a welcome addition to the street and serve to improve the local area.
- 4.55 The 5 objections received have been from a planning consultant on behalf of the neighbouring landowner (Wexham Homes) to the north and the following addresses: Calbourne Drive, Calcot, RG31; Kingsdown Parade, Bristol, BS6; Reeds Avenue, Earley, RG5; Chalvey Road West, Slough, SL1. A summary of the issues raised are:
- 4.56 Loss of existing use
- With the right maintenance the building should stay as a commercial property and not be changed as domestic use.
  - The destruction of this pub would be a loss of community amenity, jobs and tax income to Reading. The pub could clearly be viable in the right hands, by proximity to the centre.
  - The public house appears, according to the submission, to not have been marketed appropriately for continued use. No facts or figures are provided as to poor sales figures, barrel downturn etc.
  - Admiral Taverns being unable to make a success of the pub and therefore everyone else is likely to struggle is slightly laughable if it wasn't about to lead to the destruction of an historic building in the name of greed. Admiral Taverns tied pub company model contributes to the downfall of public houses, not their success. Admiral Taverns at one time operated The Nags Head, now one of the most successful pubs in the town.
  - Wexham Homes asks the LPA must be very careful about permitting further losses of the public house (community assets), with suggested justification being based on clear and compelling evidence to show to: the public traded unprofitably for at least three years; analysis of alternative means of operation; at least 12 months marketing at reasonable rates for its lawful use.
  - Wexham Homes has concerns over the level of justification provided by the applicant: lack of physical evidence of trading performance; second hand information; unqualified assertions; lack of substantive evidence; lack of justification as to whether the pub would be an attractive proposition to possible alternative purchaser/landlords. Suggestion that the marketing was not as a public



house at all (redevelopment instead). Wexham Homes does not therefore consider this a serious attempt to market/ sell the building as a public house.

#### 4.57 Loss of existing building

- Wexham Home considers it appropriate to look into the possibility of formally recognising the heritage value of the existing building.
- Wexham Homes support the approach detailed in the response from Cllr James as the most logical means of preserving the irreplaceable heritage value of the building.
- If retaining the building is genuinely structurally impossible, practically impossible or non-viable Wexham Homes emphasises that, as a minimum, consideration should be given to retaining the front facade at least, with an appropriately designed building to the rear whether this is to be in purely residential use or retained as a community public house or perhaps a mixed used, incorporating some residential and a smaller public house.

#### 4.58 Impact on neighbouring land to the south

- The proposal is reliant on the adjacent Wexham Homes site for access over land that Wexham Homes owns. Wexham Homes is concerned that the proposed development appears to rely on access from the land between the application site and the Wexham Homes site, which it describes as a “shared access” but that Wexham Homes believes is its land.
- The proposal is reliant on the adjacent Wexham Homes site for the open outlook required to provide adequate living conditions for future residents.
- Wexham Homes believes the proposal would therefore significantly prejudice its ability to develop its site and bring forward the benefits of highly sustainable new housing that it sees as the main benefit of the application proposal.
- Proposal ignores the land to the north and its potential to provide beneficial development. Wexham Homes site has already been the subject of pre-application discussions with Reading Borough Council (Officer note: these took place in September 2017; no further formal pre-application enquiries or application submissions have since been made).
- Wexham Homes emphasise that comprehensive redevelopment remains its preferred approach if the applicant is prepared to engage in genuinely constructive dialogue.

#### 4.59 Scale / Design

- The proposed development is overbearing in scale.
- Effect on listed building and conservation area as the proposed scheme is incongruous with the surrounding area.
- Layout and density of the proposed redevelopment will have a greater scale and massing than the former Red Lion PH, therefore, this will have a negative impact on the area.
- The proposal is excessively large, overtly contemporary, monolithic 4-storey block that has been reduced in height by only some 50cm. Wexham Homes is particularly unconvinced that the scale of the building has been reduced by using different materials, introducing opaque glass balconies and moving it slightly away from its eastern boundary; and the design still relates far more to development further from the site beyond the flyover that dominates the streetscene to the north; rather than the historic context of the immediate street scene.

#### 4.60 Transport

- The proposed development will cause parking problems.

#### 4.61 Amenity

- The proposed development will cause noise problems.
- Overlooking/loss of privacy to adjoining land owned by Wexham Homes Ltd.
- Loss of light or overshadowing to adjoining land owned by Wexham Homes Ltd. The detrimental impact of this, has not been quantified in the daylight and sunlight assessment.
- Wexham Homes is very concerned that adequate living conditions can only be provided to the future occupiers of the proposed flats in the northern part of the new building by relying on the open, undeveloped current state of its site to the north. The proposed new building would have a wide, 4-storey northern elevation set very close to the site's northern boundary (the southern boundary of the Wexham Homes site) that would include the only/ main window to ten main habitable rooms (three kitchen/dining/living rooms and seven bedrooms); and an important kitchen window.

#### xv) Councillor responses

##### 4.62 Cllr James believes the applicant should be recommended to the planning committee for refusal, with concerns summarised as follows:

- Numerous Katesgrove Ward residents are rather concerned and dismayed with the proposed development.
- The scheme will not provide a social, environmental and economic benefit to the area, hence, it cannot be classed as a sustainable development.
- There is more harm to be caused by this incongruous form of development, as this application is not sympathetic to the heritage location of the property and does not preserve or enhance the setting of neighbouring listed buildings or the adjacent conservation area.
- The white stucco on the former Red Lion PH provides a positive contribution to the setting of the Church of St Giles and the listed buildings. The demolition of the former Red Lion PH is inappropriate due to the fact that it does have historical importance.
- This proposed scheme will have a devastating impact on the listed buildings due to its design and appearance being not in keeping with the local vicinity in which the application site sits, therefore, this should be taken as a material consideration in deciding/recommending this application.
- Questions as to whether the buildings are viable for listing and reference to the need to take account of building features in any proposal (e.g. Wellington Arms redevelopment on Whitley St).

## 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

CS3 Social Inclusion and Diversity

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

CS22 Transport Assessments

CS23 Sustainable Travel and Travel Plans

CS24 Car / Cycle Parking

CS29 Provision of Open Space

CS33 Protection and Enhancement of the Historic Environment

CS34 Pollution and Water Resources

CS35 Flooding

CS36 Biodiversity and Geology

CS38 Trees, Hedges and Woodlands

5.7 **Reading Central Area Action Plan (2009)**

RC5 Design in the Centre

RC6 Definition of the Centre

RC7 Leisure, Culture and Tourism in the Centre

RC8 Drinking Establishments

RC9 Living in the Centre

5.8 **Sites and Detailed Policies Document (2012) (Altered 2015)**

SD1 Presumption in Favour of Sustainable Development

DM1 Adaptation to Climate Change

DM2 Decentralised Energy

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

## 5.9 Reading Borough Council Supplementary Planning Documents

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

## 5.10 Other relevant documentation

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)  
Historic England's Advice Notes (HEANs) 7: Local Heritage Listing (May 2016)  
Historic England's Principles of Selection for Listing Buildings (2010)  
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, 2<sup>nd</sup> edition (2011)  
Market Place / London Street Conservation Area Appraisal (2007)

## 6. APPRAISAL

### 6.1 The main issues are considered to be:

- i) Land use principles considerations, including provision of affordable housing
- ii) Demolition, scale, appearance, design and effect on heritage assets
- iii) Housing density, mix and affordable housing
- iv) Quality of accommodation for future occupiers
- v) Impact on neighbours / nearby occupiers
- vi) Transport
- vii) Trees, landscaping and ecology
- viii) Sustainability, energy and SuDS
- ix) Other matters - archaeology, advertisements, s106, pre-commencement conditions & equality

#### i) Land use principles

6.2 The proposal would result in the loss of a former public house (last occupied for its lawful use on 01/07/2016) at part of the site. As such, the loss of the Class A4 use forms the first consideration in any redevelopment proposal at the site. With regard to local adopted policy, given the public house is located within the RCAAP area, Policy DM15 (which considers public houses outside the Central Area) does not apply. Although Policies RC6 and RC8 can be applied, they do not provide any specific protection to public houses. Set against this local policy vacuum, it is noted that paragraph 92 of the NPPF seeks decisions to plan positively for community facilities such as public houses, guard against the unnecessary loss of valued facilities and ensure established facilities are able to develop and modernise and are retained for the benefit of the community.

- 6.3 Set against this backdrop it is noted that 5 objections have been received to the application, some of which touch on these matters (see paragraphs 4.55 & 4.56 above for details). These are duly noted. In support of the proposals the applicant has supplied a range of information relating to the history/disposal/marketing of the public house, which concludes with the applicant considering that it has been demonstrated that the public house use was unviable, despite marketing attempts.
- 6.4 Officers consider that the competing viewpoints are finely balanced, but ultimately it is considered that the public house has been vacant for a considerable period of time, the objections have not demonstrated the specific benefits / facilities provided by the public house when it was most recently in use (to evidence it as a community facility of value - as referenced in the NPPF), it is not a designated asset of community value (unlike some other public houses in the Borough) and there are nearby alternative public house facilities which can provide suitable benefits for the local community. On balance, it is therefore considered by officers that it would not be sustainable (if tested at appeal) to resist the principle of the loss of the public house use at the site. Instead, the loss of the public house use is considered appropriate by officers.
- 6.5 As a result of the loss of the existing use being considered appropriate, it is confirmed that the principle of a proposed residential use at the site is consistent with the broad objectives of Policy CS14 and the wider NPPF. The provision of 11 residential units, equating to an uplift of 10 when the existing single unit at No. 38 is taken into account, would assist the Borough in meeting its annual and plan period housing targets, in line with Policy CS14. Accordingly, the land use principles at the site are considered to be established.

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

- 6.6 Considering first the demolition of the existing buildings, it is pertinent to first note that the applicant is scheduled to shortly receive a certificate of immunity from statutory listing (as per section 4xii above). Should this be formally confirmed prior to the committee it shall be reported in an update report. Despite this, it is nevertheless considered by officers that both application site buildings are non-designated heritage assets (as identified by the Historic Buildings Consultant in section 4ii) above. Accordingly, justification for the demolition of both buildings is required. In support of the application detailed reports outlining the structural defects in the buildings have been submitted. Officers have also visited the site to personally witness these, for example most prominently in the north gable. In short, officers consider that subject to the design of the proposed replacement building being acceptable, the demolition of the existing buildings have been sufficiently justified and is considered appropriate by officers.
- 6.7 With the above in mind, due consideration of the proposed replacement building is required. Considering first the scale and massing of the building, at four-storeys (and part basement) it is acknowledged to be of a greater scale than the existing part-two, part-three (and cellar) storey buildings. The footprint of the proposed building generally follows that of the existing, although the massing to the rear (proposed to be consistent with the front) is far greater than the existing part-single-storey element. It is noted at the time of the previous application (172328) officer concerns were raised in relation to the overall scale and massing of the proposed building. Although it is acknowledged that the reduction (in comparison with the previously withdrawn application) is limited to 0.5m, a more thorough analysis of the surrounding area has been provided as part of this submission, including accurate and detailed long streetscene elevations. Set within this

context of the additional justification provided, officers are now content that the proposed scale/massing is not significantly out of context with the prevailing character and instead would assimilate satisfactorily in terms of its scale/massing (also set within the context of the existing building too). However, officers also acknowledge and consider that the proposed massing is the maximum permissible at the site, owing to the site and surrounding area characteristics. These conclusions were also made by the Reading Design Review Panel when considering the proposals in July 2018 (see section 4iii above).

- 6.8 Turning to consider the appearance of the proposed building, a contemporary design approach has been followed, which both the RBC Historic Buildings Consultant and Reading DRP are satisfied with (see sections 4ii & 4iii above for details). In particular, the DRP commended the architect on the evidence base and clear understanding of the nearby context in justifying the proposed design approach, in sharp contrast to previous iterations. There is a strong vertical rhythm in the proposed building, with a clearly defined base (ground floor level), middle (first and second floors) and top (third floor). The ground floor includes a legible step-free entrance (assisted by glazed brickwork either side of the entrance - the entrance has been simplified to respond to the DRP comments about the 'integrity and grounding'), while the windows are consistent with language on the floors above. The middle element is regular and consistent in its rhythm, with DRP pleased with the window proportions. At top floor level this element is set-back and more lightweight in form to help it appear satisfactorily subservient.
- 6.9 A particularly important feature is considered to be the south-east corner elevation, as it is highly visible in long views along Southampton Street when approaching from the south (particularly owing to the footprint as existing/proposed, in contrast to the set-back neighbour of Solent Court). At the outset of the application, external balconies were proposed at this point from ground to second floor level, with DRP commenting that these "dissolve the constancy of the façade design and pose overlooking and face-face distance issues". Subsequent to this and further officer feedback the balconies have been omitted to maintain the consistent approach considered to be required by DRP and officers.
- 6.10 With regard to the detailed design of the proposal, the primary materials consist of red brick, delineated with grey brick infill panels (both characteristic of the area - e.g. nearby Church Street). Additional richness to the design is provided through the provision of glazed bricks either side of the ground floor entrance (to provide added emphasis and therefore assist legibility), while the set-back third floor is more lightweight with larger expanses of glazing and grey rainscreen cladding. The proposal also includes aluminium composite windows and doors (grey finish) with lightweight single panes of glass forming juliet balconies, as set within the reveals. At ground and top floor level the balustrades will comprise galvanized flat metal railings. In principle the choice of materials is considered to achieve a suitable balance between utilising features common in the local area, whilst in itself being of a more modern overall idiom which creates a character of its own, and in-turn positively contribute to the overall character of the wider area. It will be especially important to secure further details (including physical samples and manufacturers details) of all facing materials, to ensure the envisaged design quality is implemented in practice (noting the words of caution raised in this regard by Reading DRP). Accordingly, a pre-commencement (barring demolition) condition is recommended to secure full details of the proposed materials.

- 6.11 In respect of the effect of the proposals on the setting of nearby listed buildings (as identified in full in section 4ii above) and the character and appearance of the adjacent conservation area, no substantive concerns have been raised by the RBC Historic Buildings Consultant. More specifically, the proposals would result in less than substantial harm to the significance of the designated heritage assets and, when weighed against the public benefits of the proposal (as outlined elsewhere in this appraisal), the proposals are considered to be appropriate in this regard. With the condition secured in relation to materials, as set out previously, this is another safeguard in protecting the nearby heritage assets, by helping to ensure that the detailing of the design help tie the more contemporary building to the surrounding area.
- 6.12 In overall terms, the proposed replacement building is considered appropriate in all design/heritage regards, subject to the aforementioned materials condition. This is in line with Policies CS7, CS33 and RC5 predominantly. Accordingly, the principle of the demolition of the existing buildings are also considered to have been suitably justified too.

iii) **Housing density, mix and affordable housing**

- 6.13 The application site is located within the boundary of the Reading Central Area Action Plan, where the density range is specified to be above 70 dwellings per hectare. In this instance the provision of 11 units on a 0.0332ha site would equate to 331 dwellings per hectare. Although a high density development, the site characteristics (brownfield site/extent of the existing building) and accessibility means it is a sustainable location, thereby counting in favour of officers concluding that the density is appropriate.
- 6.14 Turning to consider the proposed mix of units, 1x studio, 8x1-bed and 2x2-bed units are proposed. Policy RC9 details that a mix of different sized units are required and ideally a mix of 1, 2 and 3-bed units should be provided. In this instance no 3-bed units are sought, with only studio/1/2-bed units proposed. Furthermore, there is a predominance of studio/1-bed units. However, as the scheme is below 15 units, the 40% 1-bed maximum / 5% 3-bed minimum guide detailed in Policy RC9 cannot be applied. Although the proposed mix is not considered ideal, it nevertheless does provide a (albeit somewhat limited) mix of unit sizes and is therefore considered adequate by officers. It is recommended that a condition is secured whereby, notwithstanding the provisions of the GPDO 2015, no change to the unit mix (1xstudio, 8x1-bed and 2x2-bed units) shall be made to the development hereby permitted without express planning permission from the Local Planning Authority. This is to safeguard the mix altering to potentially unacceptable mixes in the future, while also having a dual benefit of not altering the sales values of units (which could improve scheme viability) without this being managed and assessed by the local planning authority.
- 6.15 With regard to affordable housing, in line with Policy DM6, a 30% on-site provision is required (equating to 3.3 units). In this instance the applicant is seeking to provide nil affordable housing and has submitted viability justification (as referenced in Policy DM6 in instances where proposals fall short of the policy target). As outlined at section 4ix) above, the viability submission has been assessed on behalf of the local planning authority by BPS Chartered Surveyors. After concerns with the conclusions of the initial appraisal were raised by BPS, a more detailed viability submission was submitted and BPS has subsequently concluded that the scheme cannot viably support an affordable housing contribution. Although naturally disappointing to officers in light of the pressing

need for affordable housing in the Borough, the nil provision at this point in time has been suitably evidenced in a robust manner, in line with the circumstances allowed by Policy DM6.

- 6.16 Notwithstanding this, BPS and RBC Valuations both consider that there is a sufficient basis to secure a deferred affordable housing contribution mechanism, which would enable the Council to share in any subsequent uplift in actual value, based on a later re-appraisal of viability. The applicant has confirmed agreement to the principle of this mechanism, with the exact details to be secured within the s106 Legal Agreement.
- 6.17 Furthermore, officers also consider it necessary to secure a further s106 legal agreement obligation relating to affordable housing in this case. This relates to contributions to affordable housing applying on a cumulative basis (rather than individual application basis) should the building be extended / altered (to create further units) or units subdivided (e.g. a 2-bed unit becomes 2 separate 1-bed units) in the future. This is also necessary in part due to (future) conversions resulting in a change of use under 10 units (as could be proposed at a later date) not attracting affordable housing contributions (as per the application of Policy DM6). Hence, in practice, each part of any future proposal at the site shall make an appropriate contribution to affordable housing, having regard to the contribution that would arise from a single assessment across all components.
- 6.18 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. 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) and is being sought to be applied where relevant on other current proposals in the Borough (e.g. 180591 at Mulberry House at the 6<sup>th</sup> February Planning Applications Committee).
- 6.19 The applicant is agreeable to the principle of a S106 Legal Agreement in terms of both obligations. If these elements are secured as recommended, although acknowledging and accepting that no on-site / off-site affordable housing provision or financial contribution is provided at this stage, this has been specifically evidenced, justified and independently reviewed as such, as Policy DM6 allows for. Thus, on balance, this is considered the best possible contribution towards affordable housing in this instance. The proposal is therefore 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 adequate overall standard of living accommodation for future occupiers. Although the internal shape of some of the units are irregular in some areas, the overall size of the units all comply with the national space standards, as do the bedrooms. Furthermore, all rooms include dedicated storage spaces, have suitable floor to ceiling heights and are all either dual or triple aspect (providing suitable outlook and the option of natural ventilation). In addition, all units will either have access to small private amenity (garden or terrace) areas (units 1, 3, 10, 11) or access to the shared amenity area to the rear of the site. The first and second floor units also include Juliet balconies. As such, suitable external amenity space is provided, within the context of the inherent physical constraints of the site and RCAAP location.



- 6.21 From an Environmental Protection perspective, as detailed at section 4iv) above, the submitted noise assessment has demonstrated that future occupiers will not be unduly harmed by nearby noise sources. This is subject to a condition ensuring the glazing and ventilation is carried out in accordance with the stated methodology prior to occupation. From an air quality perspective the submitted report has suitably demonstrated that no specific mitigation measures are required in this instance. Another welcomed element is the provision of one fully-adaptable wheelchair accessible unit at ground floor level (unit 3), with step-free access provided to the ground floor off Southampton Street. Although lifetime homes standards are no longer considered within the planning regime, the applicant has outlined that 10 of the 11 units are lifetime home compatible.
- 6.22 Transport observations at section 4i) above confirm that cycle and waste provision is suitable and will be secured via condition. With specific reference to waste and recycling provision, that this is proposed to be serviced via a 'shared access' off Southampton Street. It is noted from a consultation response by the neighbouring landowner (and subsequent responses from the applicant) that there is a boundary dispute regarding the ownership of this land. This is not a planning matter and not of concern to the local planning authority unless there is little or no prospect of a satisfactory access to the development. In this instance each of the units are accessed solely from within the red-line of the application site, with only the bin storage relying on the 'shared access', albeit only one of the four bins would be reliant on the access, as the main store could potentially be accessed through the building (although this would naturally not be preferred). However, based on the proposals at this point in time and the need for the development to provide suitable waste and recycling facilities, it is considered necessary to include a pre-occupation condition requiring the means of access to be available for use. Should the applicant subsequently encounter difficulties in this regard, it is considered that alternative locations/layouts could be considered by the applicant and considered as either non-material or minor-material amendments to the scheme (the type of application would depend on the nature of any such future proposal).
- 6.23 There are some acknowledged shortfalls in the proposed accommodation, such as the provision of the living/dining/kitchen room being at basement level and being served solely by two rooflights, thereby limiting outlook/natural ventilation and access to day/sunlight at this point. However, this unit is a maisonette and both bedrooms would be at ground floor level, with the rooflight acting to ensure the ground floor bedroom is set back adequately from the highway. Thus, on balance, this unit is considered to be adequate. In wider terms in relation to day/sunlight matters, at the time of previous application 172328, the then submitted day/sunlight assessment was independently reviewed on behalf of the local planning authority by BRE, who concluded that a good level of daylight provision would occur for future occupiers. In terms of sunlight, this varies across the site owing to the proximity of existing nearby buildings around the site, meaning south facing rooms receive ample sunlight and others would receive most sunlight in the morning. The internal layout has not significantly changed in this application to arrive at a different conclusion (an updated day/sunlight report has been submitted) and is therefore considered appropriate.
- 6.24 Finally, with terms of overlooking between future units, the layout of the building has been suitably designed to ensure future occupiers will not suffer from a loss of privacy from existing nearby buildings or other units within the scheme itself. The orientation of windows is generally such that opportunities for direct overlooking is minimised, with this only possible at acute angles instead. To protect the

amenity of future occupiers of units 4 and 7 (from nearby overlooking from Solent Court), it is however considered necessary to secure by condition the three windows on the south elevation serving unit 4 at first floor level, and the three windows above at second floor level on the south elevation serving unit 7 as obscure glazed and fixed shut (up to 1.7m). This is not considered to significantly compromise the quality of accommodation, as internally these windows serve large dual aspect living/dining/kitchen rooms.

6.25 It is acknowledged that there is a direct 10.3m distance between kitchen windows associated with Solent Court (to the south) and the south elevation windows associated with units 6 (first floor), 9 (second floor) and 11 (third floor). The proposed boundary fence would prevent overlooking at ground floor level. At first and second floors this would mean overlooking between kitchens (at Solent Court) and dual aspect living/dining/kitchen rooms (at the application site), while it would be kitchen to bedroom (and terrace) at third floor level (all based on the internal layouts shown on the plans). Although acknowledged not to be ideal, within the context of the site being located within a tight urban grain within the RCAAP area, the level of harm from these limited instances is not considered to significantly reduce the amenity of future occupiers or compromise the overall quality of accommodation proposed.

6.26 Similarly, it is noted that a number of windows are proposed on the north side elevation of the proposed building. It is acknowledged, partly as a result of the public consultation response from Wexham Homes (see section 4xiv for details), that this presently undeveloped (barring advertisement boards) land could come forward in the future (although it is noted to not be allocated land and no application has been submitted for residential development at the site - only a pre-application submission in 2017). In short, it is considered by officers that a future proposal at the neighbouring site would not necessary significantly compromise the standard of accommodation of future occupiers and it is not possible to resist the proposals on this basis.

6.27 Overall it is considered that the proposals comply with policies RC9 and DM4 and would provide an adequate standard of accommodation for future occupiers.

v) **Impact on neighbours / nearby occupiers**

6.28 Considering first privacy and overlooking matters, as detailed in the quality of accommodation section above, the application site is located within a dense urban location. The increase in residential accommodation at the site therefore means that there will inevitably be increased opportunities for loss of privacy/overlooking for existing nearby occupiers. However, a number of steps have been taken to minimise the impacts, primarily on the neighbouring Solent Court. The aforementioned obscure glazed windows on the south elevation at first and second floor level (towards the front of the building), will protect the amenity of occupiers within Solent Court. The proposed third floor level at the application site includes set-back windows and a small terrace. This is at a greater height to Solent Court, meaning any loss of privacy would be at acute angles at this point. To the rear, as already discussed in the quality of accommodation section above, the 10.3m distance between kitchen windows at Solent Court and living/dining/kitchen windows for units 6 and 9 is not ideal, but the loss of amenity for Solent Court occupiers is not considered harmful enough to warrant the refusal of the application on this basis. St Giles Court to the west is in commercial use, downplaying loss of privacy/overlooking issues.

- 6.29 Public consultation responses have raised concerns regarding overlooking/loss of privacy to adjoining land owned by Wexham Homes. No planning application has been submitted in respect of this land and it is therefore difficult to resist the proposals on the basis of a possible hypothetical scenario on an unallocated neighbouring site. Officers are however content that the proposals do not necessarily preclude the possibility of neighbouring land coming forward in the future, at which point any such proposal would be considered on its merits.
- 6.30 Turning to consider day/sunlight matters, as referenced in the quality of accommodation section above, BRE independently reviewed the assessment submitted as part of withdrawn application 172328 at the site. The overall massing of the site has not changed significantly enough to warrant BRE re-assessing the updated assessment submitted as part of the current application. Instead, the conclusions previously referenced by BRE are considered to be applicable in this instance too. More specifically, although BRE note that some Solent Court units will suffer a loss of daylight, this is considered a 'moderate adverse' impact as it applies to kitchens, rather than living rooms or bedrooms, and elsewhere 'minor adverse' impacts would occur. Furthermore, BRE identifies Solent Court as possibly being a 'bad neighbour' (large building with windows close to the site boundary), for which a greater loss of light could be acceptable. BRE also confirms that loss of sunlight to neighbouring buildings is not an issue, as the relevant windows face within 90 degrees of due north (so are not required to be tested). On the basis of the BRE review, officers are content that the impact on existing neighbouring occupiers is not significantly harmful.
- 6.31 With regard to visual dominance and the overbearing effects of a development, it is fully acknowledged that for occupiers of Solent Court (in particular) the proposals represent a far greater neighbouring building in comparison with the existing context. Although in parts (particularly to the rear of the application site) this could be considered as overbearing, the level / nature of this would not cause a significant detrimental impact to the living environment of these existing occupiers, within the context of the dense urban location. To the west St Giles Court is in commercial use, downplaying this element, while all other buildings are too distant to be significantly impacted.
- 6.32 It is noted that the proposals include a number of external terrace areas, but none of these are of a size/nature to result in significant noise/disturbance to nearby occupiers. However, a large expanse of flat roof is proposed, shown to serve photovoltaics. Owing to its size and potential noise disturbance to nearby occupiers, a condition is recommended which states 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. Potential noise disturbance to nearby occupiers during the demolition and construction stage will be managed through the recommended demolition and construction method statement and hours of construction conditions.
- 6.33 No other significant adverse impacts are envisaged for nearby occupiers in respect of any other consideration referenced at Policy DM4. As such, on balance, the proposals are considered appropriate in this regard.

vi) **Transport**

- 6.34 Transport officers are satisfied with the proposals subject to a number of conditions, as summarised at section 4i) of this report. With these conditions all

included in the recommendation, the proposals are considered appropriate in this regard.

vii) **Trees, landscaping and ecology**

- 6.35 Both the Natural Environment officer and Ecology consultant are satisfied with the information submitted with the application from these perspectives, as detailed at sections 4v) and 4vi) of this report. More specifically, the Natural Environment officer is basing this conclusion on a number of conditions, which are all included in the recommendation at the outset of this report. Accordingly, the proposals are considered to comply with policies CS7, CS36 and CS38.

viii) **Sustainability, energy and SuDS**

- 6.36 The Design and Access Statement submitted in support of the proposal incorporates commentary in respect of sustainability and energy matters. More specifically the proposals will include a variety of sustainability and energy features, including Mechanical Ventilation with Heat Recovery systems and the provision of photovoltaics at roof level. Although in principle such features are welcomed and considered appropriate, no formal assessment has however been submitted. Accordingly, a pre-occupation condition will instead secure written evidence that at least 50% of the dwellings will achieve at least a 19% improvement in the dwelling emission rate over the target emission rate, as per Part L of Building Regulations (2013). This shall ensure that the development is carried out in accordance with sustainable building standards, in accordance with Policy CS1. With this secured the proposals are considered appropriate from a sustainability and energy perspective.
- 6.37 In terms of SuDS, as per section 4x) above, the proposals are considered to be acceptable subject to a pre-commencement (barring demolition) condition. This will secure a SuDS implementation, maintenance and management plan, and the subsequent completion of the SuDS scheme prior to first occupation, which would thereafter managed and maintained in accordance with the approved plan/details.

ix) **Other matters - archaeology, advertisements, s106, pre-commencement conditions & equality**

- 6.38 Archaeology - As per the Berkshire Archaeology consultation response summarised at section 4xi) above, the proposals are considered appropriate in this regard subject to a pre-commencement condition securing a written scheme of archaeological investigation at the site.
- 6.39 Advertisements - the proposed south elevation shows a 2mx1m sign at first floor level. No advertisement consent application has been sought, so this is shown purely as an indicative feature by the applicant, with separate consent likely to be required in due course, at which time the local planning authority would assess this accordingly. An informative will be included on the decision notice to clarify this.
- 6.40 Section 106 Legal Agreement - As per the Reading UK CIC consultation response in section 4vii) above, it is necessary to secure a construction stage Employment Skills and Training Plan via s106. In this instance the applicant has indicated a preference for a financial contribution, which amounts to £1,705 (as per the SPD formula). This head of term, together with the affordable housing terms outlined earlier in this appraisal, will be secured via legal agreement. It is noted that

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 each of the obligations referred to above would comply with the National Planning Policy Framework and Community Infrastructure Levy (CIL) in that they 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.

- 6.41 Pre-commencement conditions - In line with section 100ZA(5) of the Town and Country Planning Act (as amended) discussions are being undertaken with the applicant regarding pre-commencement conditions. The applicant agreed to the following conditions on 25/01/19: demolition and construction management statement; and, a programme of archaeological work. In addition, the following pre-commencement (barring demolition) conditions have also been communicated/agreed with the applicant: materials; hard and soft landscaping; SuDS.
- 6.42 Equality - 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 The proposed development would result in the redevelopment of a brownfield site, set within a dense urban environment, and create 11 residential units. The loss of the existing public house use and the buildings themselves have been considered to have been justified, while the proposed design is supported after the submission of revisions following officer and Reading DRP advice. It has been shown that an adequate standard of accommodation would be provided, while existing nearby occupiers would not be significantly impacted.
- 7.2 The non-provision of a 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. The proposals are subsequently 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:**

- 100 Rev A Location Plan, as received 22/06/18
- 200 Rev C Existing Site Plan, as received 22/06/18
- 299 Rev A Existing Basement Plan, as received 22/06/18
- 300 Rev A Existing Ground Floor Plan, as received 22/06/18
- 301 Rev A Existing First Floor Plan, as received 22/06/18
- 302 Rev A Existing Second Floor Plan, as received 22/06/18
- 303 Rev A Existing Roof Plan, as received 22/06/18

400 Rev B Existing East Elevation, as received 22/06/18  
401 Rev B Existing South Elevation, as received 22/06/18  
402 Rev B Existing West Elevation, as received 22/06/18  
403 Rev B Existing North Elevation, as received 22/06/18  
500 Rev A Existing Long Section AA, as received 22/06/18  
501 Rev B Existing Short Section BB, as received 22/06/18  
502 Rev A Existing Short Section CC, as received 22/06/18  
202 P 01 Rev A Site Plan - as proposed, as received 27/07/18  
202 P 02 Rev B Ground Floor Plan - as proposed, as received 10/10/18  
202 P 03 Rev B First Floor Plan - as proposed, as received 10/10/18  
202 P 04 Rev B Second Floor Plan - as proposed, as received 10/10/18  
202 P 05 Rev A Third Floor Plan - as proposed, as received 27/07/18  
202 P 06 Roof Plan - as proposed, as received 22/06/18  
202 P 08 Rev B Elevations & Sections (with fences) - as proposed, as received 10/10/18  
202 P 09 Rev B Communal Garden Plan - as proposed, as received 25/01/19  
202 P 10 Rev B Site Plan - as proposed, as received 25/01/19  
202 P 11 Rev A - Elevations & Sections with no boundary treatment - as proposed, as received 25/01/19  
202 P 12 Rev B Streetscape: As existing & as proposed, as received 25/01/19

**Other documents:**

Supporting letter from MacNiven Quays Ltd dated and received 22/06/18  
310 Rev A Existing Street Views, as received 22/06/18  
Structural Survey & Report undertaken on behalf of Vogue Assets Ltd by Scott White and Hookins Ref ML/ASm/W01719 Rev 004 dated 18/06/2018, as received 22/06/18  
Reading, 38 Southampton Street, RG1 2QL - Report on further investigation structural survey by Scott White and Hookins Ref W01869 Rev A dated and received 22/06/18  
Noise Impact Assessment by ACCON UK, Ref A3353/N/001, dated 15/06/18, as received 22/06/18  
Air Quality Assessment by ACCON UK, Ref A3353/AQ/001, dated 14/06/18, as received 22/06/18  
Drainage Statement by Scott White and Hookins Ref W01869 Rev A dated and received 22/06/18  
Drainage Strategy Drawing W01869-SWH-ZZ-EA-DR-C-0100-P02, as received 22/06/18  
Transport Statement by Glanville Ref: TR8170374/MB/DW/011, Issue 8 dated 13/06/18, as received 22/06/18  
Heritage Statement by Forum Heritage Services, Revised June 2018, as received 22/06/18  
Planning, Design and Access Statement Addendum - Open Space Statement by Vocalism, dated and received 22/06/18  
Design and Access Statement by Somorjay & Tallis Architects, Rev A, dated 27/07/18, as received 30/07/18  
Daylight and Sunlight Assessment by ACCON UK, Ref A3048/DS/009, dated 08/08/18, as received 13/08/18  
Preliminary Bat Roost Assessment Report by Aspect Ecology, dated April 2018, as received 27/07/18  
Statement relating to loss of Public House, Reading, dated 16/07/18, as received 27/07/18  
202 P 07 Rev A GIA comparison - as existing & as proposed, as received 27/07/18  
Advice Report 'Red Lion Public House and 38 Southampton Street, Reading' by Historic England dated 21/12/18, as received 16/01/19  
Letter from MacNiven Quays dated & received 05/10/18  
Letter from MacNiven Quays dated & received 18/01/19

**Information submitted on a private and confidential basis:**

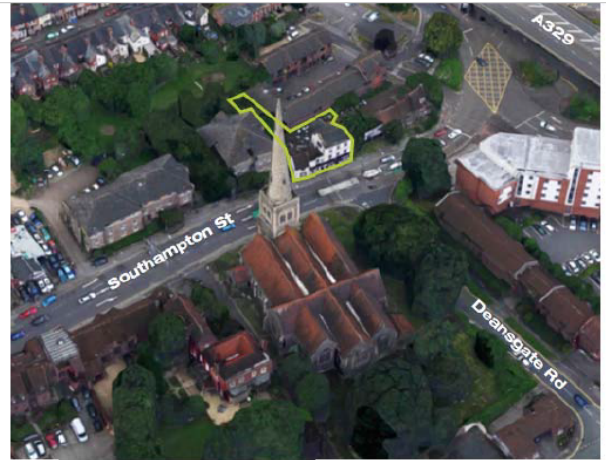
Viability Report for Vogue Assets Ltd by DJC Housing Consultants Ltd, dated June 2018, as received 22/06/18

Viability Rebuttal Report for Vogue Assets Ltd by DJC Housing Consultants Ltd, dated November 2018, as received 30/11/18  
Email from MacNiven Quay Limited 'RE: Reading, 34 - 38 Southampton Street - 181117', dated & received 21/01/18

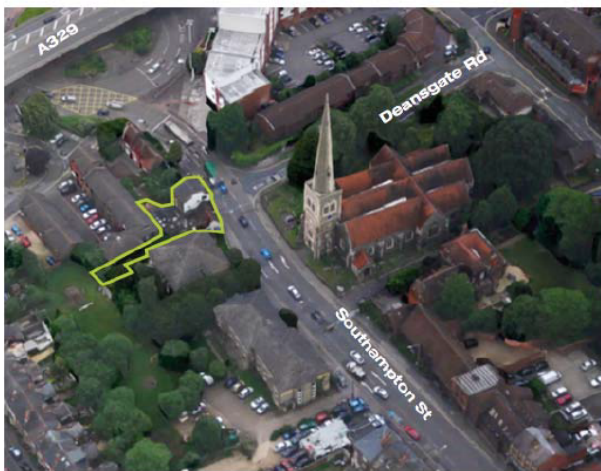
**Case Officer:** Jonathan Markwell



Birds Eye view from the North



Birds Eye view from the East



Birds Eye view from the South



Birds Eye view from the West

### Aerial views from the Design and Access Statement



The Southampton Street frontage.





View from the north with the listed No's 26 & 28 Southampton Street on the right.



Looking north from outside Solent Court



From Southampton Street looking north



Another view from Southampton Street looking north



Looking south from Mundesley St



Looking south from Crown St / Peel St junction



The west side of Southampton St, to the south of the application site



Above: Public house ground floor (ceiling had partly fallen in); Below: Ground floor bar.



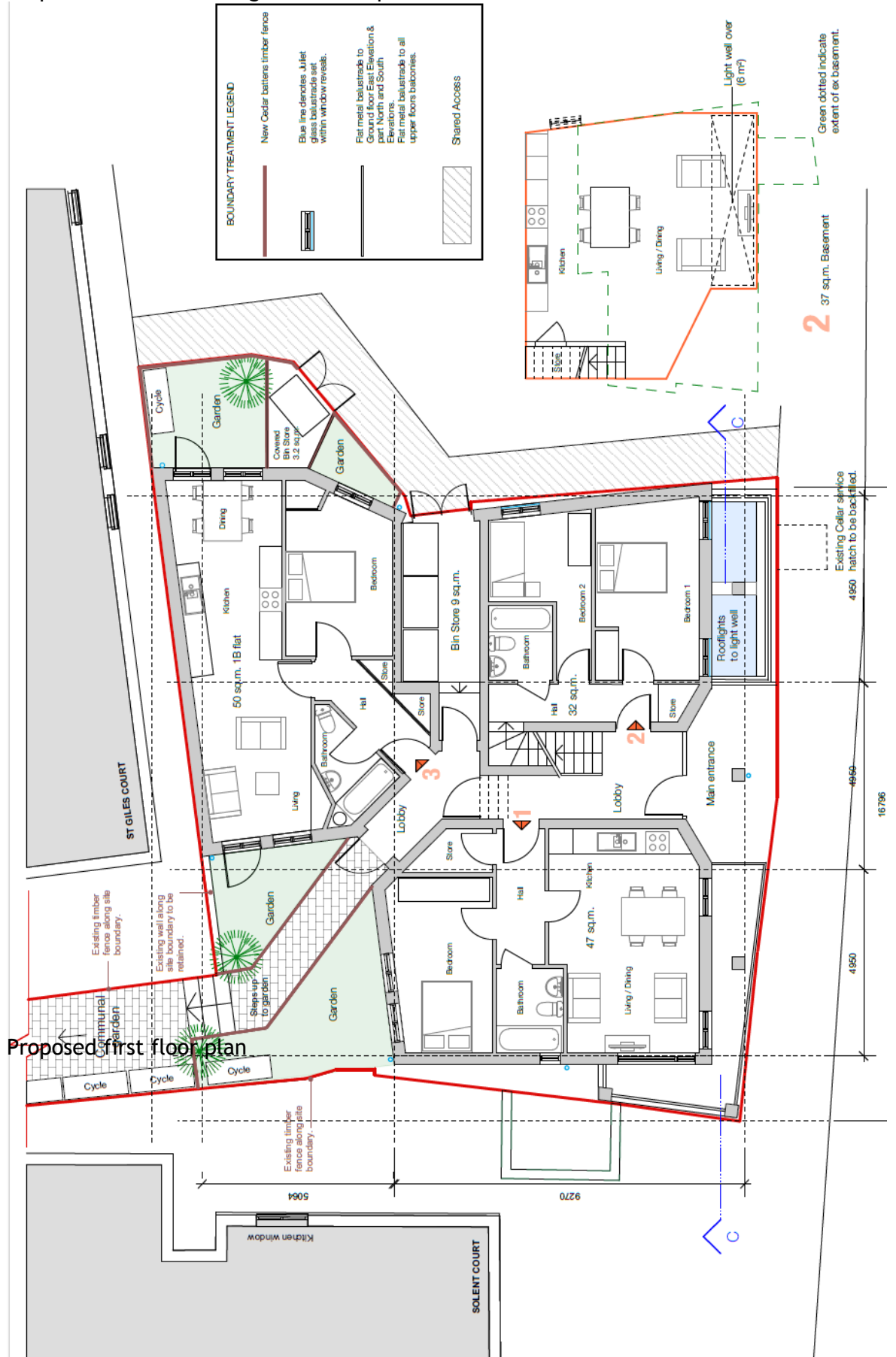


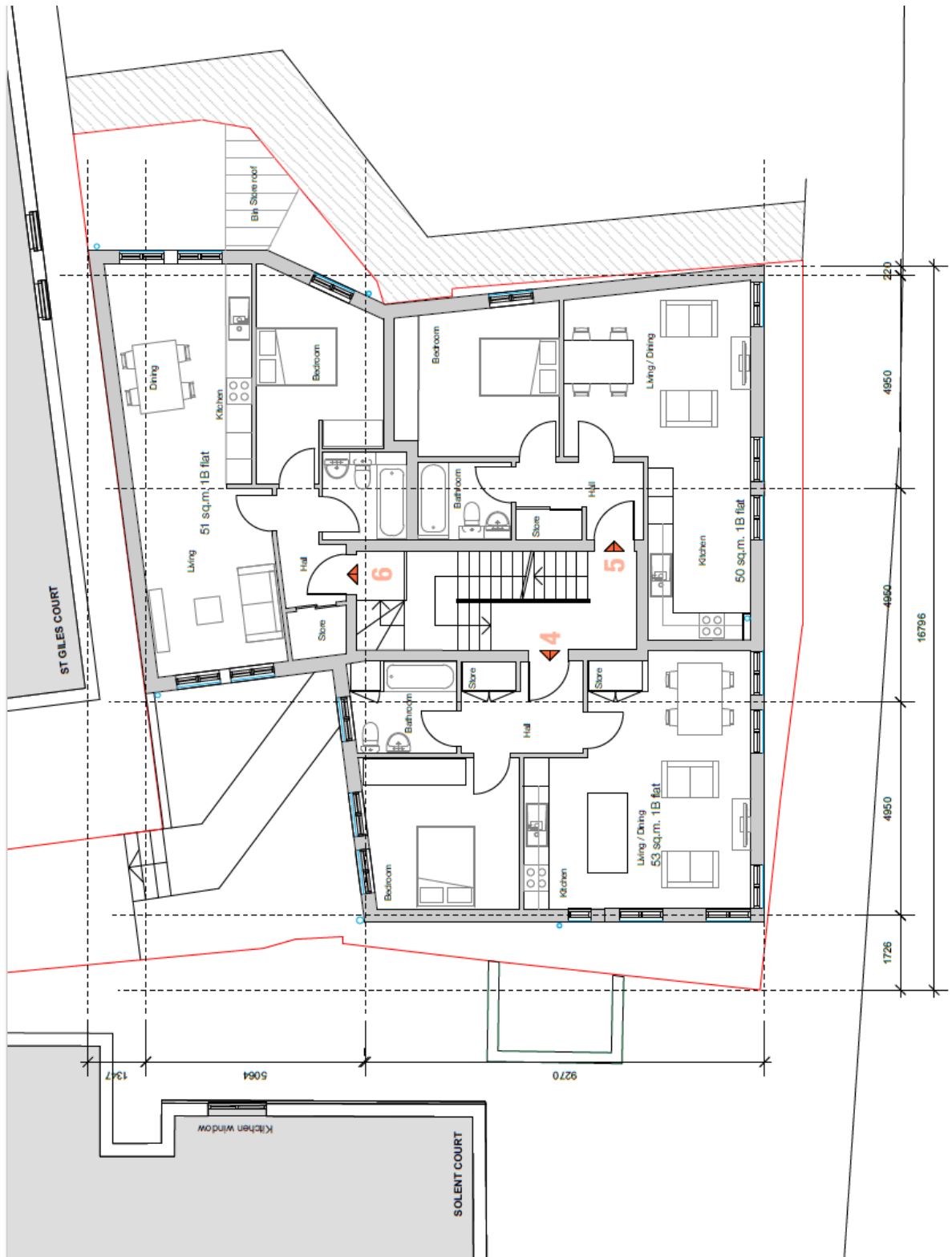
Proposed site plan / roof plan



Proposed rear amenity space / cycle storage facilities.

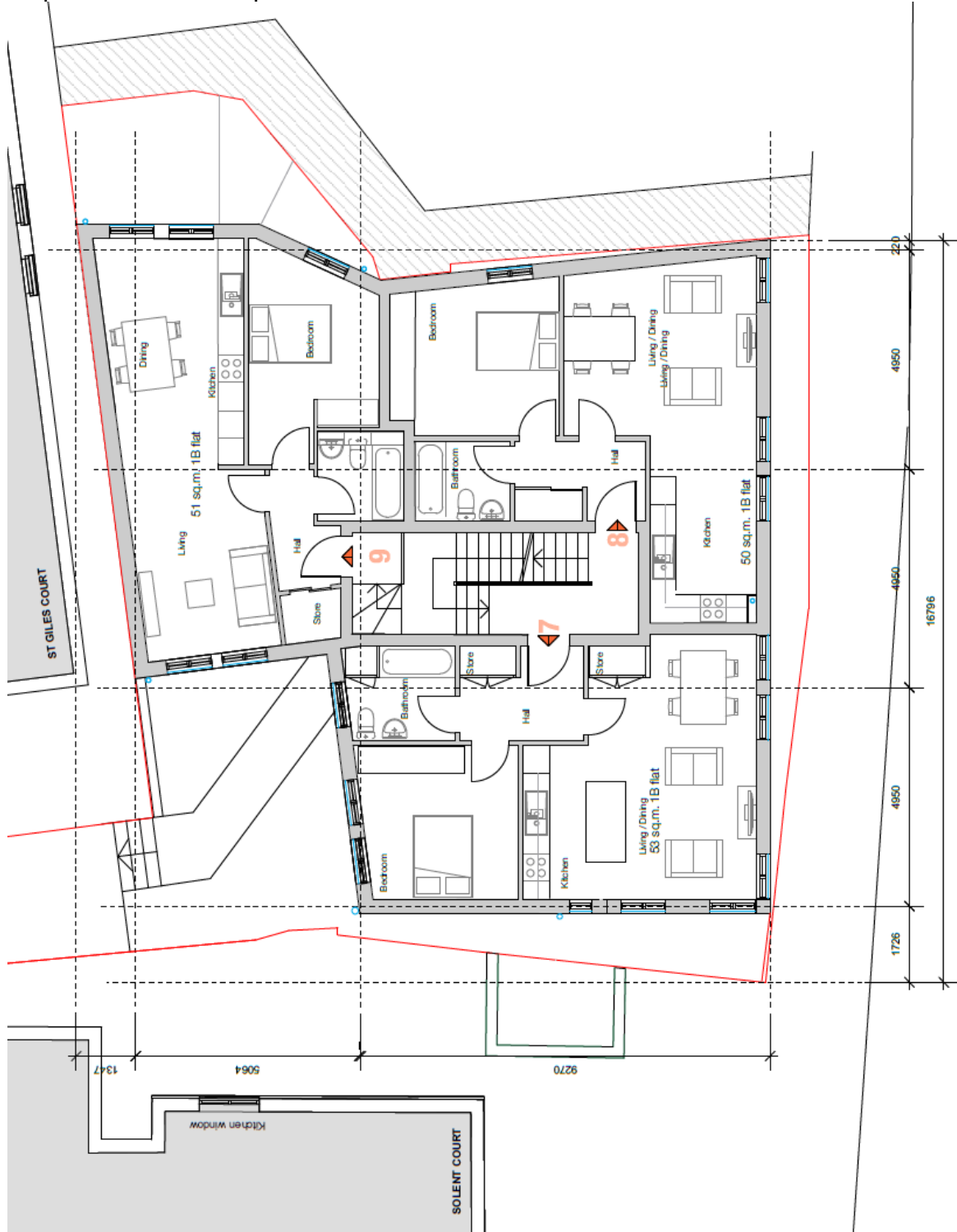
Proposed basement and ground floor plan





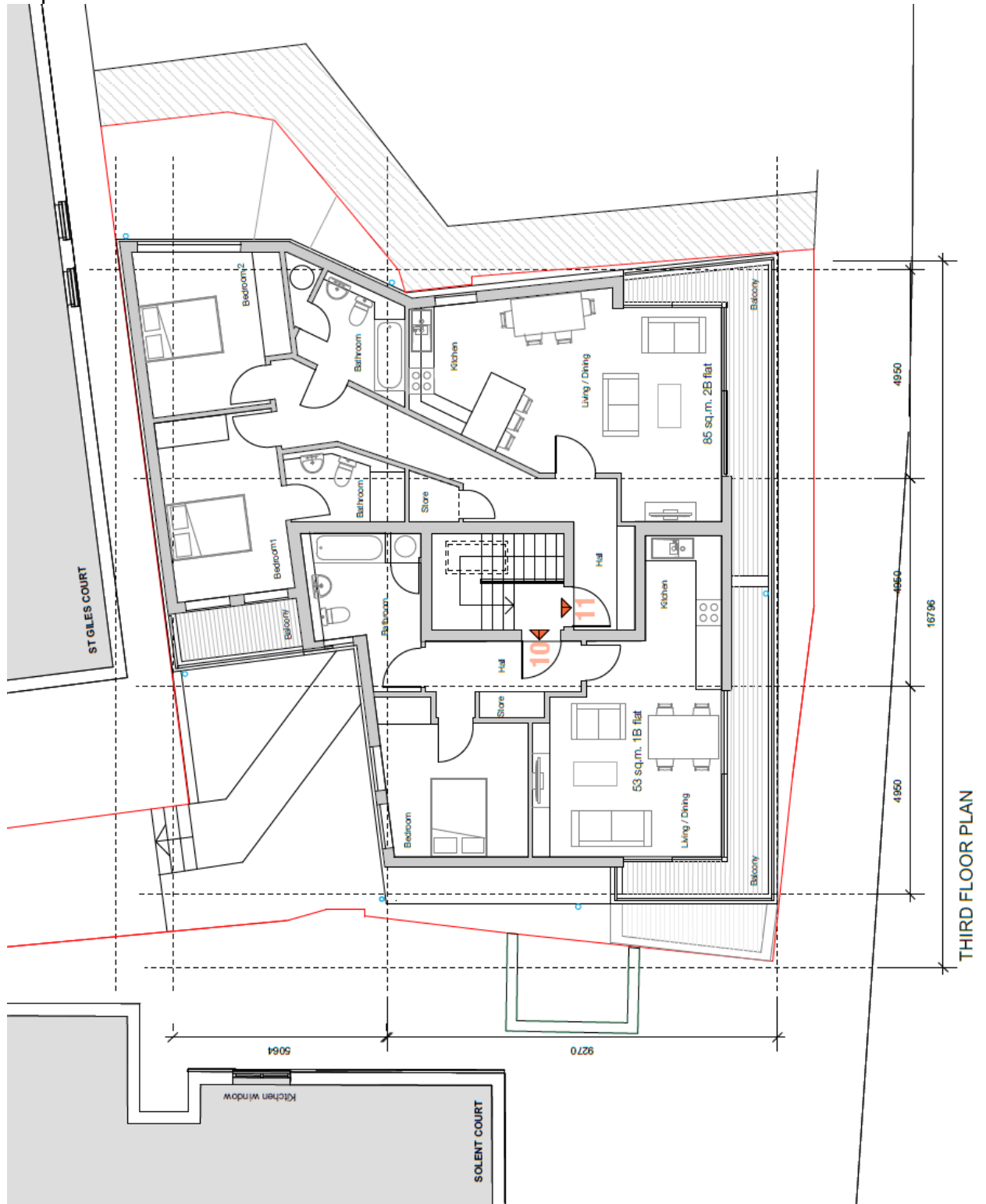
FIRST FLOOR PLAN

Proposed second floor plan

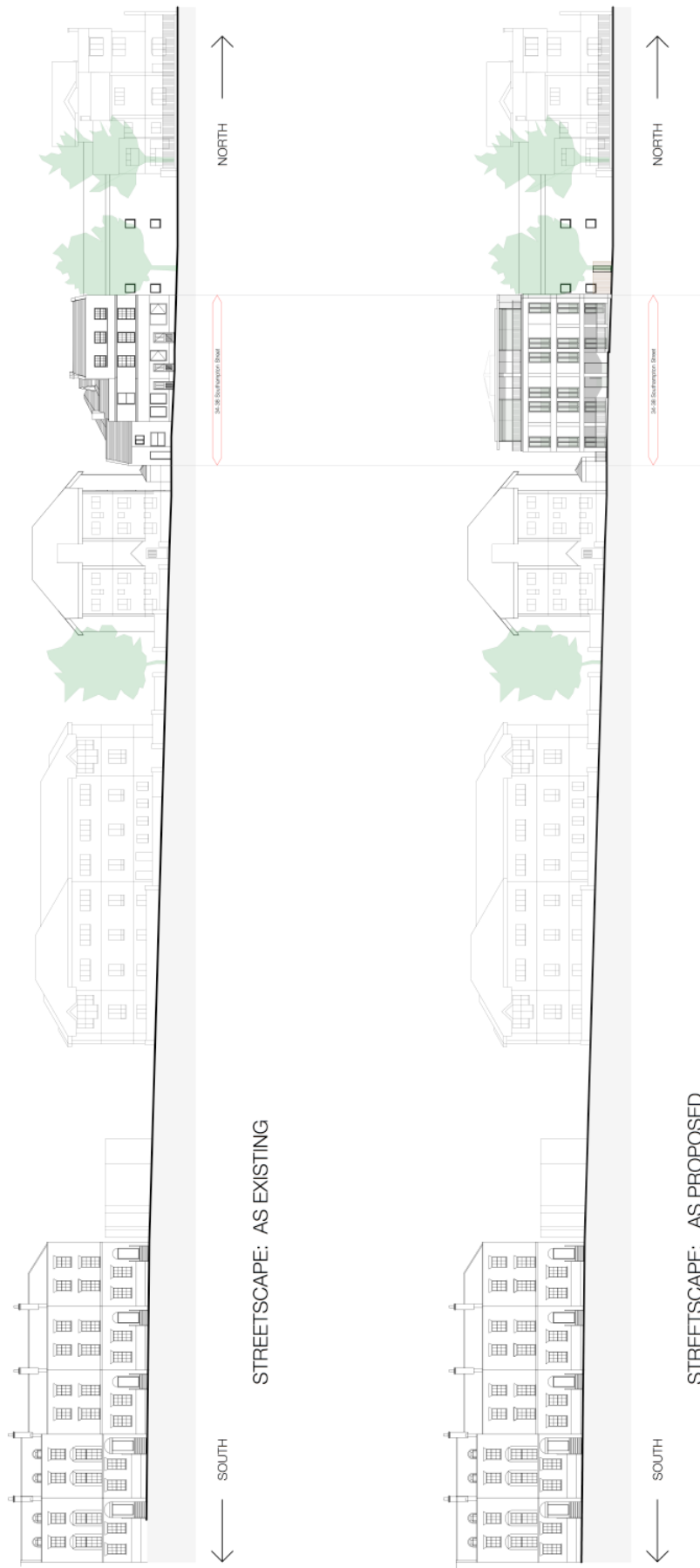


SECOND FLOOR PLAN

Proposed Third Floor Plan







Proposed elevations - Southampton Street frontage



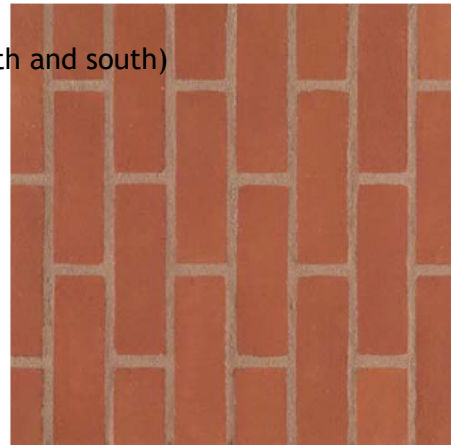
**Materials**

The main building material will be a light purple grey clay stock brick which will be tonally similar to that used on adjacent listed buildings. The lines of the main structure will read as a brick frame, faced with a red brick, contrasting with the used on the infill, but still reflecting the building vernacular. Each brick infill panel will feature a vertical row of snap header bricks, on the centre line and also in red, alluding to typical local historical brick detailing. Windows will be aluminium faced timber. They will be outward opening for ease of individual cleaning and guarded by a clear toughened and laminated glass panel.

**Proposed side elevations (north and south)**



Brick detailing and colours samples of Historic buildings in the surrounding area.

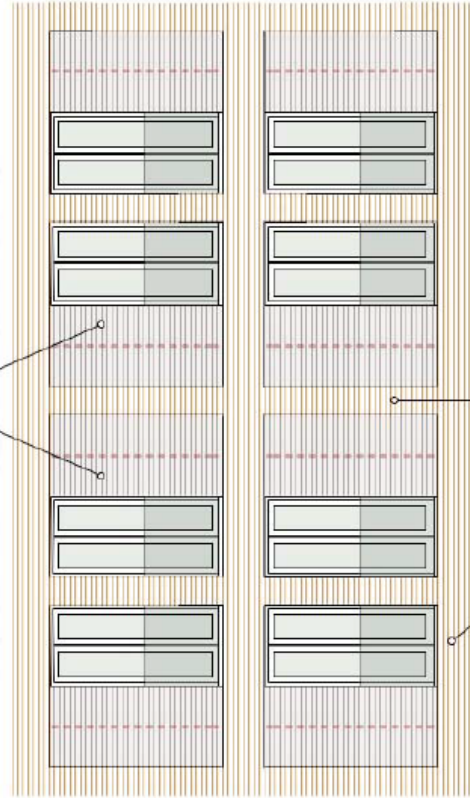


Proposed Red Stock bricks



Proposed Grey Multi Stock bricks

*Light grey multi-stock infill panels with red snap header detail*



*Red multi-stock to delineate main lines of structure.*

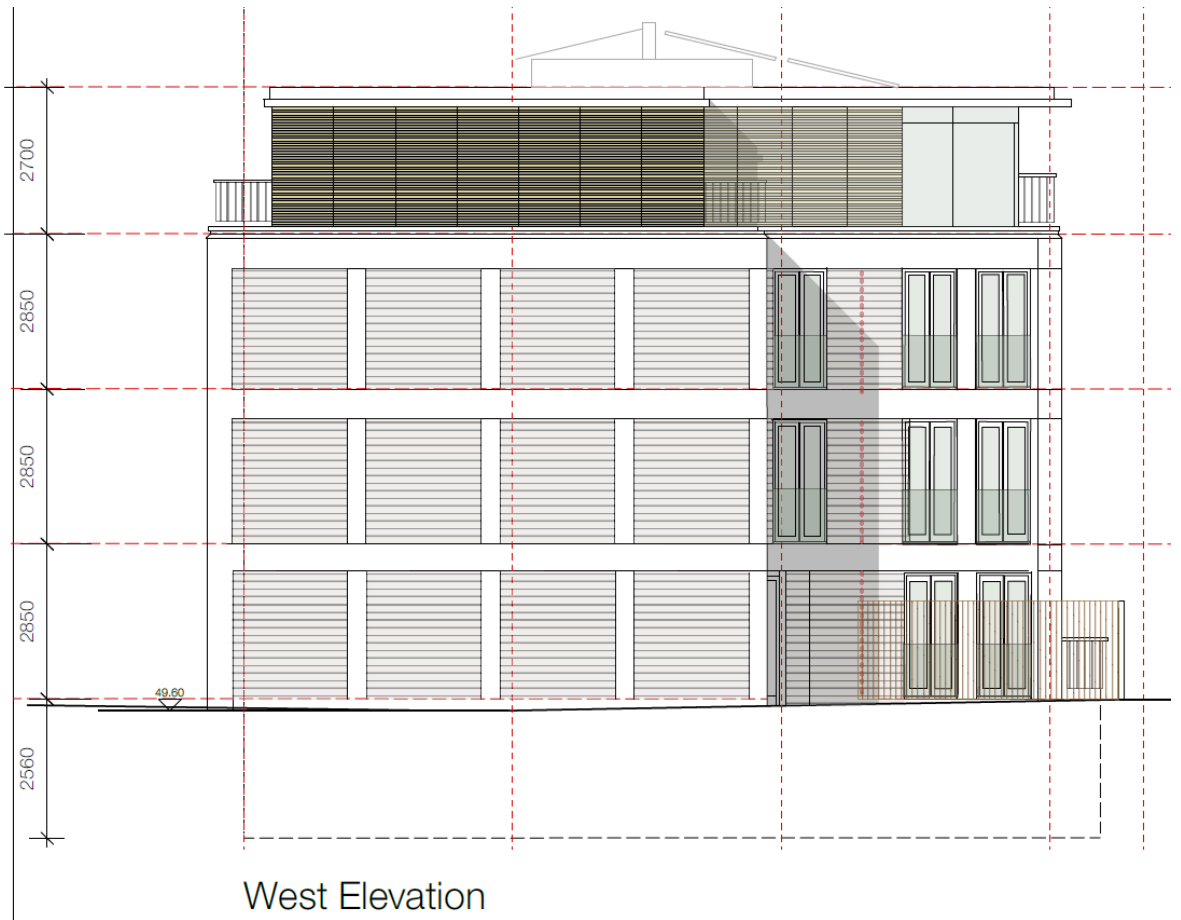
Extract of the proposed Front (East) Elevation



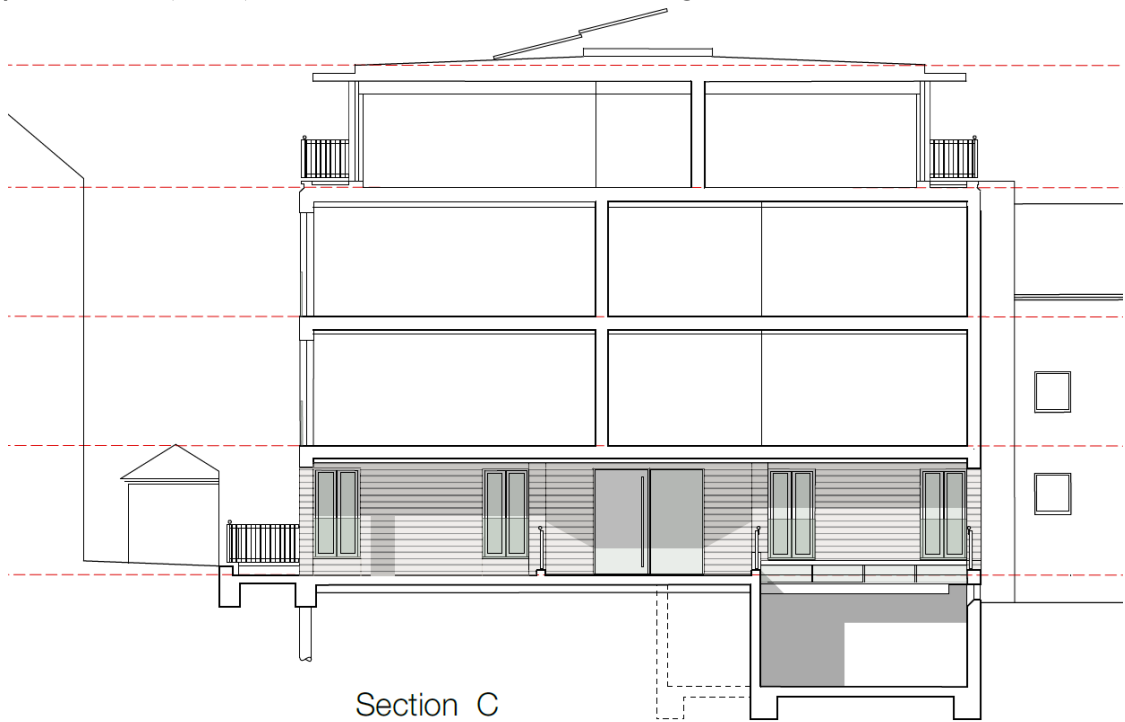
South Elevation



North Elevation



Proposed rear (west) elevation and section showing the basement and roof PV



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## COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 6 FEBRUARY 2019

**Ward:** Mapledurham

**App No.:** 182200/VARIAT

**Address:** Mapledurham Playing Fields, Upper Woodcote Road, Caversham

**Proposal:** Erection of 2FE primary school (350 pupils) with associated landscaping, multi-use games area (MUGA), car and cycle parking, and servicing; without complying with conditions 2 (approved plans), 9 (landscaping scheme) and 10 (details of hard and soft landscaping of the MPF Community Car Park) of planning permission 171023/FUL.

**Applicant:** Kier Construction Thames Valley

**Date received:** 17 December 2018

**Major Application 13-week target decision date:** 18 March 2018

### RECOMMENDATION:

Subject to:

- (i) **Expiry of the consultation period re-advertising the Section 73 VARIAT application (hereinafter called in this report the VARIAT application) (by 22 February 2019) and no substantive new objection issues (relevant to the consideration of this application) having been received following your meeting;**
- (ii) **Notification of the application to the Secretary of State (via the National Planning Casework Unit) to decide if he wishes to 'call-in' the VARIAT application; and**
- (iii) **The satisfactory completion of a Supplemental Unilateral Undertaking and Deed of Variation by 22 February 2019 to secure the following Heads of Terms.**

Delegate to the Head of Planning, Development and Regulatory Services (HPDRS) to **GRANT** planning permission by 22 February 2019. If the **Supplemental Unilateral Undertaking and Deed of Variation** is not signed by 22 February 2019, delegate to the HPDRS to **REFUSE** planning permission, unless he gives his agreement to any extension of time to allow the planning permission to be issued.

#### Heads of Terms:

- (i) That the below **obligations relating to the original planning permission under ref 171023/FUL (listed a-d) be carried forward** to this current planning application (unless indicated below);
- (ii) Provision of a **further landscaping/tree mitigation contribution** be secured on signing of the **Supplemental Unilateral Undertaking and Deed of Variation (details to be advised in the Update Report)**
- (iii) Clarification of arrangements to address the **levels issue to the MPF access** between the school and the pavilion; and
- (iv) **Definition of 'Implementation'** in the **Supplemental Unilateral Undertaking and Deed of Variation** to make explicit that site clearance includes removal of trees/landscaping
- (v) **Any other ancillary terms and conditions that the Planning Solicitor considers are necessary to protect the Council as Local Planning Authority.**

Obligations relating to the original planning permission 171023/FUL to be carried forward:

**(a) Transport improvements:**

As set out in previous reports/unchanged

**(b) Community Use provisions:**

As set out in previous reports/unchanged (save for Community Use Agreement plan to be updated to reflect slight change in floor layout of the variation proposal).

**(c) Open space mitigation provisions:**

As set out in previous reports/unchanged (but see update above)

**(d) Construction Phase Employment and Skills Plan (ESP):**

As set out in previous reports/unchanged

Conditions attached to original planning permission 171023/FUL to be varied as shown below:

<u>Condition 171023/FUL</u>	<u>Proposed 182200/VARIAT</u>
1. Std three years	No change
2. Approved plans	Update to reference amended plans
3. Archaeology	No change
4. No clearance in nesting season	No change
5. Construction Method Statement	No change
6. Submission of material samples	No change
7. Security strategy	No change
8. Tree protection	No change
9. Submission of a landscaping scheme	Update to reference amended plans
10. Submission of landscaping scheme for MPF car park	Update to reference amended plans
11. Landscaping implementation	No change, although update to correct 2x typos in the condition
12. Landscaping replacement	No change
13. Construction hours	No change
14. No bonfires	No change
15. External lighting scheme	No change
16. Ventilation/odour control	No change
17. Bicycle/scooter parking	No change
18. Service vehicles	No change
19. BREEAM Certificate	No change
20. Sustainable drainage scheme	No change
21. School travel plan	No change
22. School travel plan annual review	No change, although update to correct 2x typos in the condition
23. Plant noise assessment	No change
24. Retention of lifts	No change
25. <b>New condition:</b> submission of staff car park management plan	

Informatives:



New informative: badgers protected under other legislation  
New informative: tree protection to be provided by site hoarding fencing

## 1. INTRODUCTION

- 1.1 The red line of the application site itself extends to 0.97 hectares in area and lies towards the north-western corner of Mapledurham Playing Fields, the same as for the original planning permission, 171023/FUL. For convenience, here and elsewhere in this report, references to the previous main Agenda report and the update report submitted to the Planning Applications Committee at its meeting on 4<sup>th</sup> April 2018 on application 171023/FUL are supplied via these links:

Main Agenda report:

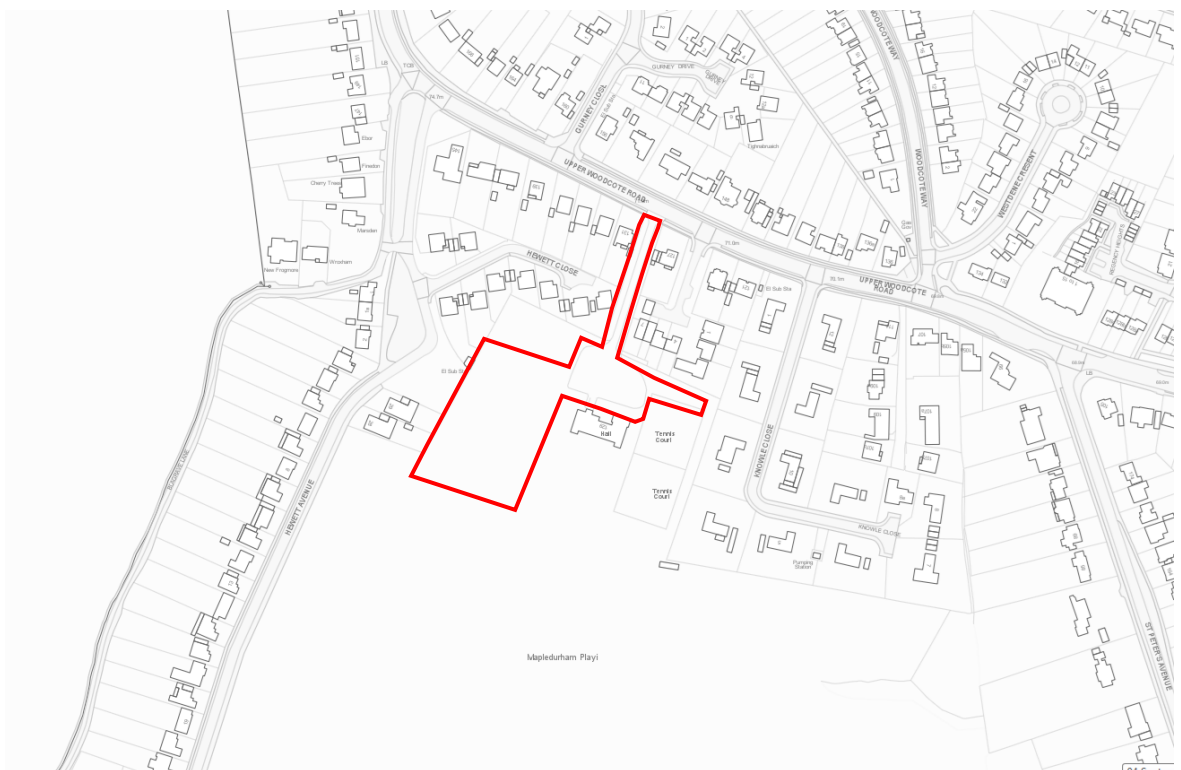
<http://www.reading.gov.uk/media/8595/Item10/pdf/Item10.pdf>

Update Report:

<http://www.reading.gov.uk/media/8713/item10update/pdf/item10update.pdf>

- 1.2 The site is part of the Mapledurham Playing fields and the linked reports above set out the full context.

Location plan (not to scale):





## 2. PROPOSAL

- 2.1 The original planning application (171023/FUL) was submitted by the Government's Department for Education (formerly the ESFA, Education and Skills Funding Authority) on behalf of The Heights Primary School Trust. For reasons explained below, this current application to alter that original permission is being submitted by the DfE's contractor, who is making arrangements to commence construction. The Heights Free School is currently operating from a temporary site in Gosbrook Road, Caversham. This proposal is to amend the proposal to erect a new permanent two-form entry primary school (projected maximum 350 pupils) on the part of the playing field near to the car park.
- 2.2 This is a VARIAT application submitted under Section 73 of the Town and Country Planning Act 1990 (as amended). This means that it seeks some 'minor material' amendments to the original planning permission. However if permission was granted, it would form a separate, stand-alone planning permission. Section 73 requires the Council as Local Planning Authority to consider only the questions of the conditions subject to which planning permission should be granted. This does not however prevent the LPA from looking at the wider considerations affecting the original planning permission. The Government's Planning Policy Guidance makes it clear the LPA can take into account the Development Plan and material considerations under Section 38(6) of the 2004 Act, and the conditions attached to the original planning permission. It goes on to say that LPAs should, in making their decisions, focus their attention on national and Development Plan policies and other material considerations which may have changed significantly since the grant of the original permission.
- 2.3 This report will therefore highlight the differences in planning terms between this and the original planning permission. The changes primarily affect the plans approved by the original planning permission.
- 2.4 For clarity, the main changes are grouped below into those affecting the school building itself (internal then external) and those which concern the levels/trees and landscaping:

- 2.5 Amendments to the school building are as follows:
- (i) Moving the Reception year classrooms to allow the location of a Year 1 classroom in the north-west corner of the building
  - (ii) Minor adjustment of classroom dimensions
  - (iii) Introduction of new rooms for reprographics, showers/changing and a group room
  - (iv) Relocation of the west stairs and staff office to the south
  - (v) Relation of the library and group room to the north-east corner
  - (vi) Toilet numbers increased
  - (vii) Kitchen area increased to accommodate a full production kitchen
  - (viii) Plant area increased
  - (ix) IT server room increased/relocated
  - (x) Main hall internal ceiling height increased. Adjoining activity studio adjusted to be a regular shape
  - (xi) Increase in floor to floor height to 3.6 metres, to allow for the running of services at high level
- 2.6 It should be noted that many of the changes above (being internal only) were they to have been undertaken post-completion, would not have required planning permission of themselves; however, they are related to the current project and are being amended as part of this current variation of conditions application.
- 2.7 Largely as a result of these internal reconfigurations, there are consequential amendments to the external appearance of the building, as follows:
- (i) An increase in window heights
  - (ii) Coloured render finish with brick plinth substituted for previous plain white render
  - (iii) Slightly amended window layouts
  - (iv) Amended school entrance canopy and angled parapet
  - (v) North elevation: additional windows and doors
  - (vi) East elevation: various opening alterations
  - (vii) South elevation: various opening alterations
  - (viii) West elevation: various opening alterations.
- 2.8 Levels, trees and landscaping:
- (i) Provision of retaining wall(s) along western boundary
  - (ii) Multi-Use Games Area (MUGA) to be set approximately one metre lower than the school building, with steps/ramps within the site
  - (iii) New gate to the playing fields on southern side of the MUGA
  - (iv) Removal of additional trees on the western boundary is necessary, as a result of the retaining walls
  - (v) Additional mitigation planting within the application site
  - (vi) Additional mitigation planting measures off-site.
- 2.9 In terms of the appearance of the building itself, the elevations below show the building as proposed in the original planning permission and the elevations as proposed in the VARIAT application.
- 2.10 As previously approved, the School would have its own 20-space car park to the north of the building, for staff use and others outside of school hours. This would be accessed via the Pavilion car park, which would be upgraded to a hard surface and the circulation formalised, to in part function as the drop-off/pick up area for

the school. The plans show an updated circulation arrangement to this car park only.

- 2.11 **Supporting documents** submitted with the application are as explained in Section 5 below, which discusses the requirement for updated documents as set out in the relevant Development Management Procedure (England) Order 2015.
- 2.12 The CIL requirement for schools remains the same (i.e. nil) under the Council's adopted CIL Charging Schedule.
- 2.13 Councillors were invited to undertake their own site visit in 2017 as part of the pre-application into the original scheme and will therefore be familiar with the site, which is unchanged. As a variation of a consented Major planning application, it is being reported to your meeting for determination.

### 3. PLANNING HISTORY

3.1 The relevant planning history is as follows:

130613/REG3	Mapledurham Pavilion:  Replacement and extension of roof, installation of new roof lights and construction of glazed veranda on east elevation.	PERMISSION 1/7/2013. Under construction (this permission is still 'alive' as the works to the verandah and café for the tennis club have been undertaken).  The Council's Parks and Leisure Service has advised that the renovation of the Pavilion is planned to recommence and be built out on the basis of these approved plans.
162017/PREAPP	The application land:  Erection of 2FE primary school.	OBSERVATIONS SENT 14/3/2017
171023/FUL	The application land:  Erection of 2FE primary school (350 pupils) with associated landscaping, multi-use games area (MUGA), car and cycle parking, and servicing.	PERMISSION with Section 106 Unilateral Undertaking dated 14/8/2018.
182140/FUL	Mapledurham Lawn Tennis Club:  Erection of six floodlighting columns (6.7m high) supporting six LED lamps and addition of six additional	PENDING

	LED lamps to five existing 6.7m high floodlighting columns to providing lighting to courts two and three.	
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### Judicial Review outcome

3.2 With reference to permission 171023/FUL above, officers wish to update the Committee on the outcome of the Judicial Review (JR) of that decision which was heard at the High Court by Mrs Justice Lang on 20 November 2018. The challenge to the planning permission was brought on four Grounds which in summary were:

- (i) That the Council as Local Planning Authority (LPA) had misinterpreted the part of the National Planning Policy Framework 2012 (paragraph 74) which relates to the protection of open space;
- (ii) That the LPA had failed to apply paragraph 216 of the Framework 2012 and therefore failed to determine unlawfully the weight to be afforded to the emerging local plan, specifically Policy EN7 which protects open spaces, including the playing fields;
- (iii) That the LPA had failed to consider alternative sites and/or misdirected members in advising them that alternative sites could not be considered; and
- (iv) That officers had granted permission in breach of delegated authority given to them by the Committee.

3.3 In summary, by a detailed judgement dated 18 December 2018 Mrs Justice Lang dismissed the Claim on all four Grounds and upheld the original planning permission and awarded costs capped at £10,000 in favour of the LPA. The Claimant sought leave to appeal to the Court of Appeal from the judge but that was dismissed and no application was made direct to the Court of Appeal for leave to appeal. The time for any appeal has now long expired. Therefore permission 171023/FUL can no longer be challenged/appealed and officers are satisfied with the conclusions reached by the judge, which vindicates the LPA's approach in considering the previous planning application.

## 4. CONSULTATIONS

4.1 For completeness and although the changes proposed in this VARIAT application are not key to all consultees, officers have consulted all original consultees to application 171023/FUL again on this VARIAT application.

### (i) Statutory:

**Sport England** has been consulted on the planning application. Sport England is a statutory consultee on all planning applications affecting playing field land. Their policy is to oppose the granting of planning permissions for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one of more of the five exceptions stated in their Playing Fields Policy apply. As can be seen from the linked reports, Sport England's objection to application 171023/FUL led to the application being referred to the Secretary of State (SoS). However, the SoS decided not to call in the application and original planning permission was subsequently issued.

Sport England's response to this current application is that they offer a **holding objection** at this time, for the following reasons:

- SE has reviewed the internal layout for the school and the school hall is the same size as before and the layout of the MUGA remains the same with changes to the access which is welcome (albeit the access gates are fairly narrow).
- SE would like more details of the MUGA layout if available to ensure that this meets our design guidance. For example, we would like details of the surface and its construction (see artificial surfaces for outdoor sport page 21 <https://www.sportengland.org/facilities-planning/design-and-cost-guidance/artificial-sports-surfaces/>) and there is a photograph of the proposed fences, will the height of the fence be 3m?
- In light of our previous comments on the scheme, there are a number of issues that still require resolution, for example; car park management, the location of any construction compound etc. required and whether or not the playing fields can continue to be used by the local football team during the construction period. I note that further changes to trees and landscaping are proposed which may impact on the plans for the wider site and it would be good to understand when the Council's plans for the whole of the site will be brought forward.
- I notice that there are conditions (e.g. condition 5) and the legal agreement attached to the planning permission that seek to require more information but it would be helpful if the Council could confirm when the application will provide this information?

I would like to place a **holding objection** on this application until I can understand how the above comments will be resolved.

**RBC Transport Strategy** advises that the application is largely unchanged in transport terms and does not object, providing that the transport measures as required by planning obligations are delivered and necessary conditions are attached to any planning permission. There are slight revisions to the circulation of the staff car park and an additional condition is recommended, see response/discussion in Other Matters section of the Appraisal below.

**(ii) Non-statutory:**

**RBC Brighter Futures for Children** (the successor organisation to RBC Education and Children's Services, charged with planning for adequate school places in the Borough) advises that there is a continuing need for this school.

**RBC Environmental Protection** advises that providing the noise generated by the plant equipment is unchanged, then the same condition can be applied as for the previous permission in respect of noise controls. Has reviewed the use of the proposed 'drop off' zone in the staff car park as an extension to the play area previously proposed and advises that this is not of concern from a noise point of view. The children are no closer to residents than previously approved and the numbers of children playing out will remain as previously proposed. No objection on noise grounds.

**RBC Leisure and Recreation Service** has provided detailed advice on the application and given the acceptance of the earlier permission, wishes to ensure that this application mitigates its impact on the playing fields. As with the previous application, methods to address shortfalls in provision/recreational value were identified and agreement reached. A similar agreement/undertaking is required to make the current application acceptable. At the time of writing, RBC Leisure is planning the necessary improvements to the Mapledurham Playing Fields as a result of the previous planning permission 171023/FUL and a planning application is expected to be submitted shortly to re-orientate the football pitches, improve drainage, move the children's play area, design the landscaping/replacement trees, etc. Further issues in this application include the

tightness of the red line of the planning application land and implications of the levels changes on the playing field and the access from the Pavilion car park. RBC has queries for the apparent constriction in this area and the changes in levels which must be accommodated. See detailed discussion in the Appraisal section below.

**RBC Planning Natural Environment Team** notes the additional tree loss over the previously approved application and is disappointed in the extent of inaccuracies in the original surveying of the site in the previous application. Has provided commentary in respect of the updated plans, the updated Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS). See detailed discussion below.

**RBC Ecologist** has resurveyed the application site on 24 January and provided detailed comments, see Appraisal below. In summary, no objection, subject to the use of obligations/conditions.

**RBC Emergency Planning Manager:** no response

**RBC SUDS Manager:** no response, although it should be noted that the building is not altering and the applicant advises that the SUDS report does not require updating.

**Berkshire Archaeology:** advised for application 171023/FUL that the Phase 1 desk-top study indicates that Paleolithic finds may be present at the site and that a Phase 2 (site-based) study should be undertaken before this application is recommended positively.

Their comments on this VARIAT application is that they have reviewed the new details submitted, taking into account the recent archaeological trial trenching on the site, which identified a small amount of surviving archaeology on part of the Mapledurham Playing Fields. Whilst the proposed alterations are substantial (in terms of levels), the mitigation required by Condition 3 of permission 171023/FUL, including further archaeological investigation and/or preservation of features in situ, remains relevant and appropriate to cover the impact of these works on below-ground archaeology. No further comments.

Thames Valley Police's **Crime Prevention Design Advisor:** no response

**Caversham and District Residents' Association (CADRA):** no response

**The Warren and District Residents' Association (WADRA):** no response.

**Mapledurham Lawn Tennis Club:** their response to the current application is listed as an Observation. The Mapledurham Lawn Tennis Club (MLTC) Committee have noted the proposals in the application. In the interest of our members, greater clarity is requested as to access to our courts and to parking space available to the club during both construction phase and in end state. The plans note the need for more parking opportunities which we would support given the car park overcrowding we get during the weekends at present. Also, we have an interest in any activity around the courts that may affect our ability to play tennis eg. excessive noise, traffic, dirt etc. At present, all tennis court sight lines are open, therefore if there is to be distracting activity, we may require some form of screening. *Officer comment: noted. However, disturbance would be controlled through a CMS and other impacts, such as 'distractions', are a matter for the individual owners/operators and are not material planning considerations.*

(iii) Statement of Community Involvement (SCI):

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No specific consultation has been undertaken on these changes by the applicant/developer.

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(iv) **Public consultation:**

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The following neighbouring properties were sent neighbour consultation letters on the previous planning application in July 2017. The same properties were sent letters on the current application on 21 December 2018:

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Hewett Avenue: 28, 29  
Hewett Close: all properties  
Upper Woodcote Road: 121-145  
Little Woodcote Close, Upper Woodcote Road: 1-7  
Knowle Close: 1-7

Site notices for the original application were displayed on 10 July 2017 and on 9 January 2019 for this VARIAT application, at the following locations:

- on the speed camera pole, near site entrance on Upper Woodcote Road
- telegraph pole, near site entrance on Upper Woodcote Road
- on a tree at the western edge of the Mapledurham Pavilion gravel car park, adjacent to the site for the proposed school itself
- Hewett Avenue, on the bend by the open space between the Hewett Close Junction and No. 29 Hewett Avenue
- At entrance to playing field, opposite No.s 20/21 Hewett Ave.
- At entrance to playing fields on Chazey Road, opposite River Road junction

For the original application, over 1000 objections were received to the initial public consultation and some 200 letters of support were received. In March 2018, officers sought to reconsult as widely as possible on the amended plans and documents. Efforts were made to send letters to some 1000 initial respondents, site notices were placed in the same original locations and

**a Press Notice was advertised in the Reading Chronicle. The Notice also advised that application affects Footpath 43: Mapledurham.**

At the time of writing, public representations received on this planning application are as follows:

**One letter of support** has been received, supporting the need for the school.

**Two ‘observations’** have been received, as follows:

- If it is really necessary to fell native Limes and Poplars, they should be replaced with native species such as Hawthorn, Rowan and Field Maple to provide autumn colour and benefit wildlife with their fruits.
- It is very sad to see so many healthy mature trees being felled. This does not match the RBC policies which emphasise the retaining of mature trees where possible. Please could developers consider ways of saving some, by tweaking their plans, particularly the lovely Lime which is on the boundary.

Responding to objections to the VARIAT application in this report



Around 40 letters of objection have been received at the time of writing, but any further objection issues which are received will be set out in the Update Report. Issues raised are as follows but it should be noted that many issues concern matters which are either unchanged from the previous permission or not proposed to be altered under this variation application. To avoid unnecessary discussion in the officer Appraisal of matters which are not pertinent to the variation application, there are a number of direct responses from officers in this report. Direct officer responses are shown in *italics* below, otherwise if an issue requires a detailed discussion, this will be provided in the Appraisal. If the issue was covered in the assessment of the previous planning application (see links above), then this report will not repeat those points, unless circumstances warrant additional commentary, through any updated circumstances, provided they are material considerations to the application's assessment.

Issues raised by objectors:

(a) Impact on open space

- Although recognising the need for a school, we should be protecting our open spaces *Officer response: issue covered in previous application.*
- Once built on the fields become vulnerable to further development. *Officer response: issue covered in previous application.*
- The Trust was set up to protect the fields for recreation only. *Officer response: issue covered in previous application.*
- The proposed path across the playing fields is not appropriate and was not the intention of Mr Hewett when he bequeathed the land. Queries the cost of this. *Officer response: this VARIAT application does not propose specific works to the remainder of the playing fields. The Section 106 contribution from permission 171023/FUL would allow for various improvements at the playing fields, which may include lighting*
- Concern for the dominance of the school on the playing fields
- A solid two metre high fence around the school is too high and on the south east elevation, where the ground falls away, it is proposed to place the fence on top of a retaining wall, which could mean the top of the fence will be three or more metres above ground level, giving the impression of a prison to users of the field.
- The revised Landscape Masterplan details changes which are totally unacceptable, such as the proposed relocation of the children's playground to just outside of the recently refurbished pavilion, which will cause noise issues. *Officer comment: changes to the wider playing fields, as may be proposed, are not proposed in this current application.*
- Furthermore, none of the promised improvements to the amenity value for existing users have been shown. All proposed amenity improvements are purely being suggested for the benefit of the school and parents. This is discriminatory and favours one age group of users over all other age groups of users. The Council must insist that current daily users of the playing fields are consulted and given the opportunity to provide their views and input, otherwise the lack qualitative improvements will be a cause of constant disapproval. *Officer comment: changes to the wider playing fields, as may be proposed, are not proposed in this current application.*
- The central avenue of trees and lighting are not acceptable as the trees proposed (Liquidambar) are not native and will not provide shelter or nesting for the birds. The Avenue with lights and ornamental trees does not enhance the look of a playing field - MPF is not a city park. It is a playing field. *Officer comment: the details of the MPF mitigation works were not contained in the previous permission and are not proposed to be altered by this variation application.*

- The obstruction of the central avenue and trees will make it difficult to rearrange pitches and hold events across the entire playing fields and will restrict the other functions of the playing fields, dog walking, kite-flying, etc. It also creates a barrier that will make the portion of land to the west appear as if it belongs to the school. *Officer comment: the details of the MPF mitigation works were not contained in the previous permission and are not proposed to be altered by this variation application.*
- No work should commence until the landscape masterplan has been approved by the community and demonstrates that the plan actually improves the amenity and facilities at MPF.
- There should be no construction at all until the landscape mitigation/masterplan and mitigation work has been approved and begun. The mitigation work must be completed within a 6-9 months and before the school is completed to ensure that the work is actually done. *Officer response: the obligations in permission 171023/FUL are not proposed to be altered.*

(b) **Landscaping, Environment, Ecology**

- The tree removal and ground levelling is not necessary
- It is unacceptable to allow an unnecessary two metre reduction in ground levels along western boundary of site. Such levelling will impact trees, which will need unsightly retaining walls, and impact the natural lie of the land and water-table.
- Unacceptable that over 50 trees will be destroyed in order to make way for the school and due to poor planning on the original application which did not take into account the slope of the land. The plan indicates only a very few trees to be replaced on the boundary between the school and the homes on Hewett Ave and Hewett Close.
- Considers it premature to submit this application as the information available on which to make a decision is deficient regarding proposed tree removal and the interrelationship between this plan and the Landscape Plan. Difficult to discern why it is necessary to remove the additional trees and understand the number of trees at issue. Understand that an Arboricultural Impact Assessment (AIA) is to be submitted 23.1.19, but this will be too late for meaningful review, comment and consideration by the Case Officer. As this application is proposing the removal of a considerable number of trees it should be presented in conjunction with the application for the 'Landscape Plan', which will also propose removal of a considerable number of trees, so that decision makers are aware of the overall impact on Mapledurham Playing Fields of these two interrelated plans. Suggests deferral until comprehensive, consistent information is available and presented in conjunction with the application for the Landscape Plan. *Officer comment: references to the Landscape Plan are assumed to mean the separate planning application to be submitted for the releveling/landscaping of the playing fields by the RBC Leisure and Recreation Service, under obligation of the previous planning permission 171023/FUL. Impacts on the wider playing fields are discussed in the Appraisal below.*
- The trees are homes to a variety of fauna in the area and also provide a visual and auditory barrier to the playing fields. This barrier will be needed even more considering the size of the school (three stories- higher than any other building) and the noise of 420 children. The plan must include the replacement of mature native trees to ensure that the necessary screening and barrier to the school are provided. *Officer comment: the school is two storeys and proposed capacity is 350 pupils.*
- Losing the trees is unacceptable, when the original proposal was offered on the basis that the works had an insignificant impact on the playing fields.
- If tree removal is necessary, it should be minimised as far as possible.

- It is the council's policy to wherever possible retain mature trees and improve biodiversity, the landscaping scheme appears to go against this policy. What hope is there of improving the borough's natural environment if the council's own schemes for sites which it manages run counter to this policy?
- The Council should not fell Poplars, which are a native tree.
- There will be unacceptable disturbance to wildlife habitat through tree removal, paths, lighting
- Some of the trees are to be replaced by an avenue of American Liquidambar trees, which are non-native and therefore contrary to Council policy
- With serious world concerns about climate change and mass extinctions of wild life it is irresponsible for anybody, but especially public bodies, to cause such destruction by removing at least 40 mature trees.
- Suggests building the school in the playing fields orchard: this would avoid the need to reconfigure the pitch layout, move the children's playground or level changes, remove the trees in the NW corner or level the site. *Officer comment: the location of the school has been agreed in the previous planning permission and this variation application proposes no alterations to the location/siting.*
- Should not remove trees during the nesting season. *Officer comment: agreed and a planning condition would control this.*
- Concern for local air quality. The removal of trees is reckless, given government focus on well-being and issues such as cancer and asthma caused by high levels of carbon monoxide in the air which will be created both by the presence of the school, delivery vehicles and cars delivering children to school.
- There will be increased noise and light pollution. *Officer comment: there is no appreciable change over and above the original planning permission, therefore these issues will not be discussed further.*

(c) Disturbance

- The Council is acting like judge and jury, ignoring the wish of most residents who have retired here to live in peace, how can you override their objections without any consideration? *Officer comment: The LPA considers the Development Plan and other relevant considerations which may conflict with one another. The LPA must strike a balance.*
- The proposal will block views, is too close to people's property and therefore causing loss of privacy. *Officer comment: the situation is largely unaltered from the original planning permission 171023/FUL and any changes are discussed in the Appraisal below.*
- Human rights Act, Protocol 1 Article 1 states that a person has rights to a peaceful enjoyment of all possessions which includes home and other land. Article 8 of human rights states that a person has a right to respect for their private life and family. In the case of *Britton Vs SOS* the courts reappraised the purpose of the law and concluded that the protection of countryside falls within the interests of Article 8 private family life therefore encompasses not only home but surroundings. *Officer comment: the HRA does not over-ride material planning considerations in English Planning Law, but is a separate consideration*
- As the proposal is at the bottom of my garden, I strongly object. I would like to extend an invitation for a representative of the planning department to meet at our property to allow us to illustrate our objections first hand before any decisions are made. *Officer comment: officers consider that this report adequately sets out the impacts of the development to allow the Committee to determine the VARIAT application.*
- A 350 pupil school will create a significant volume of noise and dominance in a quiet residential area, which will result in persistent complaints from residents as

it is unacceptable. *Officer comment: the capacity and impact of the school in these terms is unchanged from the original planning permission and this report will not consider such matters.*

- Concerned for disturbance from the school's MUGA and playground. *Officer comment: there is no appreciable change to this situation within this VARIAT application, so this report will not discuss this matter further.*
- Concerned for proximity of relocated MPF playground to residential properties. *Officer comment: the decision to remove the playground from the middle of the MPF was considered and agreed in principle in the consideration of application 171023. That decision and the final location of the playground is not relevant to the consideration of this VARIAT application.*

(d) **Design**

- Object to the scale and appearance of the building and considered to be out of keeping with the area. Considers the proposed building to be of industrial design. *Officer comment: the size of the building is not changing in this VARIAT application. The minor changes to the building's external appearance are discussed in the Appraisal below.*
- The suggestion that the Pavilion could be removed to create a larger space between the school and the Pavilion is unacceptable. If the ESFA and their designers got it wrong, then the school must be pulled back to give the necessary space, not the other way around. *Officer comment: this VARIAT application does not include works to the Pavilion.*

(e) **Transport, Traffic and Parking**

- Concerns for road safety, parking and traffic congestion. *Officer comment: the original planning permission (17023/FUL) was considered to be acceptable to the Highway Authority and permission has been granted. There is no change to the situation within this VARIAT application, so this report will not comment on these matters further.*
- The road floods in time of heavy rain, with traffic soaking pedestrians. *Officer comment: this is a highway maintenance issue, not a planning consideration.*
- There is an active footpath along the back of the proposed school and this must be kept open at all times, or the developer will be in breach of failing to maintain unobstructed access for the users. *Officer comment: for clarity, the proposal is adj to Footpath 43 Mapledurham, but as with the original planning permission 171023/FUL, the proposal does not impede the enjoyment of the Public Right of Way, which is a short circular walk. For completeness, the LPA has as a precaution, advertised the application as 'affecting a Public Right of Way'.*
- Restriction of access during construction could deny my right of access to my property. *Officer comment: rights of access are a separate Civil not a planning matter.*
- Concerned for construction effects on the Pavilion, tennis club and other users of the playing fields. There has been no clear Construction Method Statement - nor has it been communicated to the users. They will be affected and should be compensated. *Officer comment: a construction method statement would be secured via condition, as per the original planning permission. There is no planning mechanism for compensation.*
- Suggests an alternative access from Hewett Avenue during the construction period. *Officer comment: the original planning permission proposes a suitable situation to*

*the Highway Authority and this is not proposed to be altered in this variation application.*

- Construction must not commence before a full construction method statement has been submitted. *Officer comment: agreed and as previously, this is proposed to be controlled via condition*

(f) **Other issues raised**

- Evidence for need for the school is not up to date, there is a declining birth rate and vacancies in Caversham schools. Why are these trends not evident in the Reading Borough Council forecasts? The school is not required and would immediately be surplus to requirements.
- This lack of need undermines the Council's argument that this outweighs the loss of open space. Given that the LEA advice is open to doubt no further disruption of Mapledurham Playing Fields should be sanctioned until this is resolved. This application must be refused.
- If the school is built and we are forced to move, we will consider legal action against the Council. *Officer comment: This is not a planning matter.*
- No results have yet been published from the ESFA's recent archaeological survey of the school plot. Given there was evidence of Roman enclosures near to the proposed school plot, surely it is critical to publicise the archaeological dig results before commencing work to build foundations for the school. To do otherwise would be irresponsible.
- In general agreement with the proposed location of the school, however I do have concerns over this boundary. My garden is some two feet higher than the playing field with a concrete retaining wall on the boundary. The plans submitted do not appear to take account of this, and in particular the proposal is for a two-metre-high boundary fence. They do not indicate whether this measurement is to be from the level of the school site or from the level of my garden. If it is the latter, I am content. However, if it is from the former then I must object to that element of the proposals. *Officer response: boundary fences would be set at the lower level, as shown on the plans.*
- It appears that the applicant wishes to control, and dictate the use of, property (land) which they neither own nor propose to purchase. *Officer comment: it is not clear what this point relates to, so officers cannot respond.*
- The Planning Committee should put the interests of users of MPF and local residents before those of the applicant. *Officer comment: The LPA will determine the VARIAT application on its individual merits by considering the Development Plan and all other material considerations.*
- The retention of the amount through the s106 agreement for on-going maintenance for the 125 year period is derisory and the extra costs will be borne by tax-payers. *There is no change to the situation within this variation application, so this report will not comment on this further.*
- Occasional community access to a school hall does not compensate for the loss of outdoor space available to the public daily. *There is no change to the situation within this VARIAT application, so this report will not comment on this further.*
- The proposal does not include a Community Use Agreement (CUA) which the public should be able to comment on. *Officer comment: were this VARIAT application to be approved it would be subject to the Supplemental Unilateral Undertaking and Deed of Variation to tie it to the provisions of the original Section 106 Unilateral Undertaking which includes the CUA, which is not proposed to be substantially altered, except for as described in the Appraisal below.*

- No SUDS plan is supplied and the impact of the footprint of the school will be worsened by the additional tree loss. *Officer comment: this aspect of the development is unchanged and the previous SUDS scheme approved applied to this VARIAT application*
- There is no Charity Commission Consent To Sale Or Transfer Of Land, so this proposal should not be considered until this has been secured. *Officer comment: this is not a material planning consideration*
- Objects to the school demands on use of the playing fields taking precedence over other users *Officer comment: there is no change to the situation within this VARIAT application, so this report will not comment on this further.*
- Probable addition of security and local laws restricting dog walkers to having to keep dogs on leads etc. *There is no change to the situation within this VARIAT application, so this report will not comment on this further. Byelaws or other restrictions are not a planning matter.*
- An assessment must be provided to provide confidence that a drainage scheme is possible that does not damage the playing fields. *Officer comment: the Section 106 Unilateral Undertaking related to the original planning permission 171023/FUL, as is proposed to be replicated for this variation, requires works to the MPF to be suitable in terms of drainage. This requirement would not be altered via this VARIAT application; only re-applied, via the Supplemental Unilateral Undertaking and Deed of Variation.*
- The rise in the level of the school does not take into account the level of properties that are adjacent. A proper plan must be provided to ensure that these properties are not damaged by changing ground levels. *Officer response: various sectional plans are supplied, there is no indication that this would harm adjacent properties*
- There is no plan for compensatory land for land lost for the school. *Officer comment: this consideration is not pertinent to this VARIAT application.*
- The placement of the children's playground near to the Pavilion is not acceptable, due to disturbance and other operational issues *Officer response: this matter is not pertinent to this VARIAT application*
- There is a loss of the basketball court that has a hard surface. This amenity was available at all time of the day. The hard surface allowed for children to ride bikes and learn how to use scooters etc in a safe environment. This is being lost and nothing is available to compensate. *Officer response: application 171023/FUL dealt with the balance/compensation of such facilities and this is not a consideration for this VARIAT application.*
- The ESFA has not provided any details of how they plan to provide compensatory planning due to the loss of trees across and at the boundary of the entire playing fields. They are destroying over 50 mature native trees and there is no indication of how they will be replaced other than a few decorative trees within the school site. At least the same number of trees destroyed must be replaced by mature native trees.
- No construction of any kind should be allowed to start until all planning applications relevant to Mapledurham Playing Fields are approved.
- There should be no construction at all until the master plan and mitigation work has been approved and begun. The mitigation work must be completed within a 6-9 month period and before the school is completed to ensure that the work is actually done. *Officer comment: obligations for these works are essentially as approved in the previous planning permission, with the exception of further requirements as described in this report and as to be expanded upon in the Update Report.*

## 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 This application is being considered under Section 73 of the 1990 Act and is covered by the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended). It follows that Articles 7 (General Requirements) 9 (Design and Access Statements) 11(General provisions) 13 and 14 (Notice and Certificates) 15 (Publicity) and 18 (Consultation) must be adhered to.
- 5.3 This application is a minor material change to the original planning permission, as opposed to a 'Non-material change', which would be considered under Section 96a. In doing so, the Committee must consider the effects of the changes - which although considered to be 'minor' are nonetheless clearly 'material' in the context of the VARIAT application as a whole. There has been no change to the Development since the granting of planning permission 171023/FUL, therefore the assessment which follows presents the differences between this and the earlier approval (171023/FUL).
- 5.4 Insofar as the submission of documents is concerned, Section 73 applications must be submitted with information sufficient to describe/set out the changes proposed and determine the application. In this instance, some of the original documents have required updating, others do not. If a previous document submitted has not changed and does not need to change then it can form part of the Section 73 application but needs to be expressly incorporated as part of the application. If documents have changed then they need to be submitted separately.
- 5.5 The following table provides an update on the documents, in the order they were presented in application 171023:

Original document, application 171023/FUL	Revision 182200/VARIAT
Planning statement	S73 covering letter
Design and Access Statement (DAS) (updated twice during the course of the application's consideration)	No material change in the development. No new DAS. The requirement to provide a DAS does not apply to Section 73 applications (See Article 9 (4) of the above 2015 Development Management Procedure Order.) As described in Section 73 covering letter, changes to building are either internal or minor exterior only.
CIL form	No change.
Arboricultural planning statement/ Arboricultural Impact Assessment	Changes as a result of level changes described in Section 73 covering letter and submitted update arboricultural assessment
Transport Assessment and Transport Technical Note	No change. No new TA or technical note. Reason: no change to school capacity or access arrangements
Framework (School) Travel Plan	No change. No new travel plan. Reason: no change to school capacity or access

	arrangements
Sustainable Design and Construction Statement	No change. No new statement.
Energy Report	No change
BREEAM Pre-Assessment Report	No change
Flood Risk Assessment	No change
Surface Water Management Plan	No change
Landscaping Proposals Plans	No change. No update to this plan. Revised pitch layout in previous proposal was indicative only and as previously, is proposed to be delivered by the Council (via the Section106 unilateral undertaking) and not the applicant/developer.
External Lighting Report	No change. Any proposed lighting to the MPF is as may be proposed will be taken forward by the Council and not the applicant/developer.
Utilities Report	No change.
Noise Assessment	No change. Any proposed relocation of the children's play area in the MPF proposed will be taken forward by the Council and not the applicant/developer.
Air Quality Assessment	No change.
Ecological Survey	No change.
Archaeological Desk-Top Survey	No change.
Playing Field Pitch Agronomy Assessment	No change.
Statement of Community Involvement	No change.

5.6 At the end of this report, there is also a list detailing which documents have been considered, both pertaining to the previous and current applications.

National Planning Policy Framework (NPPF) (Revised) (July 2018)

The following chapters are relevant:

- 2. Achieving sustainable transport
- 7. Requiring good design
- 8. Promoting healthy and safe communities
- 10. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

5.7 The Revised NPPF continues the major themes of the previous NPPF. Paragraphs 47-50 'Determining Applications' advises on the weight to be given to emerging policies. See also the section below which provides an update on the status of the Local Plan. In terms of this VARIAT application, all policies are being considered, although the pertinent material considerations may be more restricted than the policies suggest. The NPPF continues to advise LPAs to apply great weight to the creation, expansion or alteration of schools.

Reading Borough Local Development Framework: Core Strategy (January 2008) (as altered 2015)

CS1 (Sustainable Construction and Design)



CS2 (Waste Minimisation)  
 CS3 (Social Inclusion and Diversity)  
 CS4 (Accessibility and the Intensity of Development)  
 CS5 (Inclusive Access)  
 CS7 (Design and the Public Realm)  
 CS9 (Infrastructure, Services, Resources and Amenities)  
 CS20 (Implementation of The Reading Transport Strategy)  
 CS22 (Transport Assessments)  
 CS23 (Sustainable Travel and Travel Plans)  
 CS24 (Car/Cycle Parking)  
 CS25 (Scale and Location of Retail, Leisure and Culture Development)  
 CS28 (Loss of Open Space)  
 CS30 (Access to 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)  
 CS35 (Flooding)  
 CS36 (Biodiversity and Geology)  
 CS37 (Major Landscape Features and Strategic Open Space)  
 CS38 (Trees, Hedges and Woodlands)

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

SD1 (Presumption in Favour of Sustainable Development)  
 DM1 (Adaptation to Climate Change)  
 DM2 (Decentralised Energy)  
 DM3 (Infrastructure Planning)  
 DM4 (Safeguarding Amenity)  
 DM10 (Private and Communal Outdoor Space)  
 DM12 (Access, Traffic and Highway-Related Matters)  
 DM15 (Protection of Leisure Facilities and Public Houses)  
 DM16 (Provision of Open Space)  
 DM17 (Green Network)  
 DM18 (Tree Planting)  
 DM19 (Air Quality)  
 SA16 (Public and Strategic Open Space)  
 SA17 (Major Landscape Features)

Submission Draft: Reading Borough Local Plan

- 5.8 The Council is preparing a new local plan (to cover the period up to 2036), which in time will supersede the present suite of Local Development Framework (LDF) documents. The Submission Draft version of the Local Plan was submitted to the Secretary of State for consideration in March 2018 and this was then the subject of the Local Plan Examination, hearings for which were held in September-October 2018.
- 5.9 Given the advanced stage of the document, the draft policies therein are considered to be relevant for development control purposes. However, according to the Revised NPPF at Annex 1, the weight that should be accorded to emerging Local Plans depends on the stage of preparation, the degree to which there are unresolved objections to a policy and degree of consistency with the NPPF.

- 5.10 Members are advised that the status of Mapledurham Playing Fields was an issue which was specifically raised at the hearings and which the Inspector has not yet ruled on, and therefore officers advise that the adopted policies of the Core Strategy and the Sites and Detailed Policies Document shall continue to function as the Development Plan for the purposes of Section 38(6) of the Planning Act. Officers advise that the new Local Plan continues (rolls forward) many of the themes of the current LDF documents, but that limited weight can be attached to it at this time due to the uncertainties described above. Officers advise that this approach is consistent with the JR judgement in relation to the weight to be given to emerging plan policies.

Supplementary Planning Documents (specifically relevant to this VARIAT application)

Parking Standards and Design (October 2011)  
Planning Obligations under S.106 (April 2015)

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## 6. APPRAISAL

- 6.1 Planning permission for a school on this site was granted under the original planning permission dated 14 August 2018, reference 171023/FUL. This appraisal will focus on the minor changes proposed in this variation application and the effects and implications of those changes when compared to the original permission.
- 6.2 The main issues which are relevant to this consideration of this s73 application are therefore:
1. Additional impacts on trees and ecology
  2. The changes proposed to the building itself; and
  3. Additional impacts on the character and openness of the Mapledurham Playing Fields
1. Additional impacts on trees and ecology
- 6.3 The principal impact as a result of these changes is the additional harm which would be caused to the westerly treeline/mixed woodland which is now confirmed as being within the application site. The original permission 171023/FUL anticipated a loss of some 23 trees in the area of the school, and a further 8 at risk and overall it appears that at that point, 12 trees were proposed to be retained.
- 6.4 The original application scheme failed to take account of the fall of the site, which although gradual, is nonetheless significant. The fall across the site (highest at the North-West and lowest in the South-East) is actually some 2 ½ metres. Allied to this, officers have also been advised of slight, but important errors in the original tree survey (the precise tree locations). In order to construct the school in the location as approved, it has been necessary to carefully re-appraise how the site levels need to adjust to the development and the consequent impacts on existing trees. Officers have discussed the possibility of moving or reorienting the school building, but the applicant advises that unfortunately, due to the constrained red

line of the application and the various requirements of the school, this is not possible. It should also be remembered that in the original application, the siting of the school had already been moved further south and east and no further opportunity now exists within the confines of the application site. As a result, there is a need for levelling works through the site and the provision of low retaining walls. These works will have an impact on existing trees on the western boundary.

Tree removal update

- 6.5 Due to the inconsistencies between the various surveys, the figures which follow below do not always tally precisely, but the differences are considered to be minimal, such that the Council’s Tree Officer has been able to offer informed commentary on the application.
- 6.6 The original tree survey for application 171023/FUL surveyed the entire playing fields. An updated survey, only including the trees in the north-west part of the playing fields, was provided during the course of that application and this informed the previous decision/permission. That revised survey covered a total of 81 trees, but included trees both within and outside the red line of the application site. The revised survey submitted with this current variation application is more focused and has surveyed only the trees in the immediate vicinity of the development which are affected by the proposals. The original (inaccurate) survey identified some 43 trees within the red line planning application area (including two small groups), while the current updated survey more accurately identifies a total of 56 trees (including one group); 46 of these being inside the red line boundary. In summary, the extant and current proposals are as follows:

	Tree survey/proposals considered for permission 171023/FUL	Tree survey/proposals in this current VARIAT/variation application
Total no of trees surveyed (within the red line)	43 (incl 2 x groups)	46 (incl 1x tree group)
No of trees to be felled	23	46
No of trees to be retained with work in RPA	8	4 ‘potentially capable of retention’ but proposed to be felled
No of retained trees unaffected by proposals	12	0

- 6.7 The current application now proposes to remove all 46 trees within the red line. In response to officers’ concerns regarding the necessity of removing all of these trees, the applicant provided an updated and detailed Arboricultural Impact Assessment and Method Statement, on 23 and 24 January 2019. Trees are either directly affected by the works or will suffer root damage as a result of the works such that they could not feasibly be retained. The trees affected are a mix of natives and non-natives and in a range of conditions, with just over half being of ‘C’ Category, which means they either possess features which makes them susceptible to a lower lifespan, or they may have grown in such a way as to have been suppressed by other trees negatively affecting their form.
- 6.8 The majority of trees would need to be removed, as they are within the footprint of the building but 8 of the 42 trees are proposed for removal (including 7 in the

'B' category, which are better specimens) because of likely root severance from proximity to the retaining wall. The applicant's arborist suggests that four of these trees could in theory be retained but that their removal is nevertheless recommended due to the root loss that will occur and likely 'dieback' as a result of this. The Council's Tree Officer agrees with the proposed removal of trees T145 and T146 (a Norway Maple and a Sycamore). In relation to tree T231 (also a Sycamore) the retaining wall is within 2.6m of a 5.1m RPA (Root Protection Area). Whilst the tree could in theory be retained to see how it fares, the Tree Officer advises that as a 'C' category Sycamore with its crown constrained by surrounding trees, its proposed removal is reasonable.

6.9 The Arborist and the Council's Tree Officer do not agree in relation to the approach to one of the trees. Tree T237 is a 'B' category (good quality, healthy) Field Maple tree, although the retaining wall would be within 2.5m of its trunk. That part of its RPA will be compromised but only on the north-east side; the percentage of which (cf. British Standards guidance) is unknown as this has not been provided at this point. The applicant has been advised to consider retention of this tree and has responded that its proximity to the retaining wall is critical and the school has very limited play facilities and must maximise the hard informal play space around the school. The retention of this tree would necessitate a reduction of this space, through the moving of the retaining wall eastwards to attempt to accommodate the tree. The applicant suggests that the Maple is replaced with a tree which has the ultimate potential of being larger and an Oak is proposed. The Tree Officer had assumed that the concern was due to amount of root loss; however the above comment appears to indicate that concern is due to the type of root loss, i.e. proximity to wall would mean perhaps larger, structural roots would be compromised, but suggests that the response from the applicant indicates the retention of this tree is inconvenient. This tree is clearly a good specimen and a judgement needs to be taken as to whether its retention would unacceptably compromise this community/education proposal. Officers agree with the applicant that retaining this tree would appear to limit the play area for the older children in this south-western corner of the site and its retention is sadly, unrealistic in the context that the tree would be left in (ie. compromising the small playground area). The proposed location of a large, native Oak, nearby, but further to the south, would allow it space to grow and thrive.

6.10 The Tree Officer advises that RPAs should be protected in accordance with the relevant British Standard (BS). The remaining trees near the boundary of the application site need to be protected during the development and this protection will in effect be provided by the developer's hoarding line, although an informative can also advise of this function.

#### Tree planting in mitigation

6.11 In summary, some 23 additional trees are proposed to be removed as a result of this latest application. As previously, the area within the application site itself is capable of accommodating some trees to soften/frame the development and 11 replacement trees are proposed on-site, but the net additional tree losses (around 13 trees) which are unfortunately necessary, indicate that a more comprehensive tree planting programme is required. Due to the lack of available space within the red line of the application site, these are likely to need to be planted off-site or elsewhere in the playing fields.

- 6.12 The Council's Tree Strategy (2010) indicates that this is an area of the Borough which is a priority area for tree planting, being a less than 10% tree canopy area. Officers suspect that this area may have been identified as such because of large parts of the playing fields being open lawns with no canopies. The other concern of a number of objectors is the loss of additional native trees and the wildlife habitats associated with them. Whilst this area is a mixed deciduous broadleaf woodland, replanting should ensure that either natives or at least wildlife-friendly species (ie. not necessarily natives) should be planted. It should also be remembered that some species of tree are better at controlling air quality or adapting to climate change and these may not be natives either and a balance needs to be struck in finding suitable species, particularly in a parkland setting.
- 6.13 At the time of writing, the applicant is in discussion with the Council's Parks and Leisure Service regarding the ability to increase the current financial contribution to off-site mitigating planting. This is likely to involve the costs of buying, planting, maintaining and indeed, potentially replacing some 13 trees, to at least account for the additional shortfall created by the survey errors which have taken place. More information on the overall increase in contribution agreed/required will be set out in the Update Report. Whilst the additional impact on trees is extremely unfortunate, officers feel that the additional harm which is caused in this instance can be outweighed by a combination of the on-site landscaping, the wider park tree/ecological improvements already secured and the additional planting mitigation which is currently being prepared.

#### Ecological considerations

- 6.14 The Borough's Tree Strategy requires proposals to consolidate tree cover in identified areas of the Borough and the Biodiversity Action Plan seeks to protect habitats. The Council's Ecologist has re-evaluated the current VARIAT application in terms of its additional impact on ecology. The habitats within the playing fields consist of hardstanding, amenity grassland and a woodland strip to the west, and scattered trees to the north. Most of the habitats to be affected by the proposals are of little wildlife value (amenity grassland and hardstanding). The woodland to the west, which is to be severely affected by the amended application, comprises an 'even-aged' stand of broadleaved trees with little understorey layer, which was probably planted in the last 40 years (the woodland to the north if this does contain an understorey layer but most of this is to be retained). The woodland to the west does not readily fit the description of the priority habitat as defined in the NPPF which is, "Lowland Mixed Deciduous Woodland" and as can be considered to be of limited ecological value. Although the woodland will be of some value to wildlife, it is unlikely to support protected species (as confirmed in the previous Preliminary Ecological Appraisal for the previous application, undertaken in March 2017).
- 6.15 In order to mitigate the loss of the woodland, the ecologist advises the planting of replacement trees either elsewhere in the playing fields or perhaps on the open land towards Hewett Avenue and a planning obligation is suggested. The applicant has submitted an amended landscaping plan and as with the previous proposal, it is recommended that a condition is set requiring the submission of a detailed landscaping scheme. Concerned that the green roof is not clear on the plans.
- 6.16 The trees were previously surveyed for potential bat roost features in March 2017 and none were found and from the Ecologist's site visit on 24 January 2019, no features potentially suitable for use by roosting bats were seen in the trees to be

felled, and no badger setts were observed either within or adjacent to the site. However, foraging and commuting bats are likely to use the site (the surrounding playing fields and woodland). As such and in line with recommendations made in the original ecological report, a wildlife-friendly lighting scheme should be incorporated into the development to minimise the potential negative impacts of the lighting on bats. It is recommended that a condition is set to ensure that a detailed lighting plan is submitted prior to commencement of works. Wording is given below. The site may be used by foraging badgers and a survey is advised.

- 6.17 In accordance with the NPPF and Policy CS36, the Ecologist advises that opportunities for wildlife should be incorporated into the development. The development should include biodiversity enhancements such as bird and bat boxes / tiles / bricks, as well as a green roof (see above). Subject to a planning obligation to secure replacement tree planting and the following conditions there are no objections to this application on ecology grounds. Conditions recommended are: submission of a landscaping scheme; a landscaping replacement condition; submission of an lighting scheme (in the interests of minimising habitat disturbance); no tree clearance outside of nesting season (unless under ecological supervision); a condition or informative for a badger survey.
- 6.18 From the above, your officers concur with the Ecologist's suggestions. The green roof is shown on the roof plan and not the landscaping layout plan and the details can be covered in the landscaping condition. Given the lack of evidence of badgers, an informative can remind the applicant/developer of the protection of badgers under separate legislation. In summary, your officers are content that the loss of additional trees is acceptable in ecological terms, providing that the mitigation supplied is suitable and conditions are re-applied and therefore the application complies with Policy CS36, the Tree Strategy and the Action Plan.

## **2. The changes proposed to the building itself**

- 6.19 During a re-evaluation of the school design and layout by the applicant's contractor, it became clear that a number of adjustments to the building were necessary in order for the building to function more efficiently. Of the internal alterations, the only one of particular note is the increase in ceiling height in the main hall and the adjoining activity studio, to improve functionality and to comply with Sport England standards. At the time of writing, Sport England have submitted a 'holding objection' to the application, but the applicant is currently in discussion with them between now and your meeting to seek to provide the necessary assurances in order to remove their objection. This will be discussed in the Update Report.
- 6.20 Externally, there have been some alterations and further clarifications from the applicant. For comparison, the amended elevations are shown below (as approved, top and as currently proposed, below).



21

- 6.21 There are adjustments to the window heights, opening locations and widths and an adjustment to the front entrance cantilevered canopy over the main entrance doors such that it wraps around the eastern edge of the building. The changes to ceiling heights internally has meant a raising of the overall roof level by 30 centimetres, but this is not readily visible from behind the parapet wall and so does not affect the building envelope. The overall appearance of the building will be very similar in a contemporary design. The regularity of openings is slightly different.
- 6.22 Officers have sought some further clarification on the external materials, although these will still be the subject of a condition. Materials are largely unaltered and would be a mix of brick and render and aluminium panels, windows and louvres. The applicant is considering the precise colouring of the render and is conscious of a bright white render being prone to streaking and a more dullish tone would also have the advantage of having less prominence when viewed from within or beyond the playing fields. On the northern part of the western elevation, brick is proposed and this is also used in bands on the building for contrast and to break up the render. The coloured panels within the curtain walling are proposed as having a non-shiny metallised finish or perhaps obscure glass. They are proposed as a muted copper colour and intend to give a 'lift' to the entrance area. Metal finishing to the entrance canopy material is likely to be a shiny aluminium composite material, to be relatively striking to help signal the entrance.
- 6.23 The school would retain the modern design with its square aluminium windows with deep reveals, cantilevered entrance canopy and parapet roof. The most noticeable difference would be the view from the North, where, as opposed to a symmetrical false gable over the entrance, a monopitch false gable is proposed. This would better relate to the entrance canopy below and help to shield plant, PV panels, etc. on the roof of the building.

- 6.24 Overall, officers consider that the design alterations are either benign/minor or positive, do not materially alter the previous design and were they to have been submitted only, would have been capable of being considered under the (lesser) s96a non-material amendment procedure. Officers are content that the changes are therefore acceptable in terms of design policies and in particular, CS7 (Design and the Public Realm).

### **3. Additional impacts on the character and openness of the Mapledurham Playing Fields**

- 6.25 The original officer report for application 171023/FUL noted that whilst the land on which the school is proposed is slightly higher than the rest of the playing fields, the application site is relatively secluded, being located in the North-West corner of the site, towards a corner.
- 6.26 Some objections are concerned for the additional impacts of the school redesign on the playing fields, especially how the edge of the site and the playground/MUGA and its fence meet the MPF, with the necessity of a small retaining wall which tapers up from the ground in the west to an overall height of some one metre maximum in the east.
- 6.27 The original permission was considered on the basis of a level access from the MPF car park and this situation is continuing in this variation: the slab level of the school is at the same level as the car park. This means that impacts beyond the site in terms of impact on neighbouring properties (overbearing) for instance, have not altered. The levels information now shows the school at one level, then the playground steps down slightly, then the MUGA steps down again.
- 6.28 In the context of the large, open space which is the Mapledurham Playing Fields, the changes proposed in this variation application are considered to be relatively minor. From the majority of viewpoints around the playing fields, the principal differences experienced by users will be a slight change to the complexion of the building (as described above) but there will also be the provision of low retaining walls surrounding the school perimeter when seen from the playing fields. As can be seen from most open views from Hewett Avenue below, from glimpsed views of the school, the changes may not even be noticeable and the sense of openness of the playing fields would not be adversely affected by these changes.
- 6.29 From closer views, the changes would be more apparent and in the main, this would be due to the levelling/terracing which is now proposed. However, these changes are relatively localised and the appearance and materials of the boundary/retaining walls would be covered in the existing conditions (for instance the boundary details in the hard and soft landscaping plan condition). Beyond the retaining wall would be the MUGA and playground and this would be enclosed by fencing and the external fence is anticipated to be a green 'weldmesh' style, which is considered to be satisfactory in maintaining a balance between design quality and adequate security and again, this is unchanged. The MUGA playing surface is set behind this area at a lower level, so that the MUGA enclosure is no higher than the weldmesh surrounding it. This more immediate level change is however meaning that the corresponding area to the east, the gentle access slope towards the Pavilion, needs to respond too and the applicant is in contact with the Council's Leisure and Recreation Service, as this will need to be dealt with in their



forthcoming planning application. However, this is not currently budgeted for and the Recommendation above includes a provision to cover these additional works within the MPF. The Update Report will describe this matter further, as this matter is still in discussion at the time of writing.



View from Hewett Avenue, looking North

- 6.30 The additional mitigation as described in the sections above would allow for additional planting in the playing fields environs. As was advised for the previous application, a formal landscaping strategy for the playing fields will not be designed until the pitch reorganisation plan is finalised and such would fit into the wider Landscaping Masterplan which will be produced by the Trust. The park landscaping strategy will however, provide an opportunity to supplement the present trees on site with native/wildlife-friendly species and ‘repair’ some areas towards the margins of the playing fields where the woodland edge is more sparse. Locations for such infills will need to be carefully chosen to allow individual trees to thrive and to consolidate the treelines where appropriate. The additional funds indicated above for mitigation will allow increased opportunities for this.
- 6.31 Although not part of this variation application, the Council’s Parks and Leisure Service advises that their latest pitch reorganisation plan (soon to be submitted as a planning application to improve drainage, etc.) does not now require the line of Grey Poplar (UK native) and Lombardy Poplar (not UK native) to be removed. This is due to the archaeological investigations having found Roman remains on site and these have been recorded and are to be preserved in situ. This means that terracing/drainage improvements on the western side of the playing fields are not proposed. Reorganisation and terracing will take place on the eastern area, with a planned avenue of trees running north-south.
- 6.32 This section will also discuss the visual effect on views from the west of the application site. As can be seen from the view below, the site is a considerable distance west of Hewett Avenue at this point (a minimum of 25 metres, a maximum of over 40 metres), with the land in between encircled by the circular public right of way (Footpath 43). There will be increased exposure of the building to the west due to the additional tree removal in the altered proposal. However, due to this considerable set back and the retained trees on the triangle site, when seen from approaching from the north on Hewett Avenue, the school will not be prominent in the streetscene. Although views from the west and south-west near the adjacent property boundary will be clearer, a careful choice of materials finish to this elevation and the mitigating tree cover will in time mature and lessen this visual impact still further.



Present view from Hewett Avenue looking east towards the application site

- 6.33 For information, Policy SA17 also seeks to protect the nearby edge of the Chilterns AONB from inappropriate development, but given the (amended) appearance and size of the structure, its location and distance, the character of the AONB will not be adversely affected.
- 6.34 On balance and whilst accepting that the additional tree loss is greater than previously anticipated, officers advise that the development remains acceptable in this respect and the overall character of the area and the playing fields environs is acceptable and additional details on the levels changes and tree mitigation proposals will follow.

### Other matters

#### Impact on residential amenity

- 6.35 Various objectors have raised issues of impacts on residential or more general environmental amenity, for instance the proximity of play areas, but essentially, this variation application does not propose to alter the situation approved under permission 171023/FUL. There are slight alterations to the staff car park/gating arrangements. These would allow part of the staff car park to be used as part of the originally-proposed play area on this site of the school. The Council's Environmental Protection Officer considers that the additional impact of this area over and above the play area already approved under permission 171023/FUL is not significant in context of neighbour amenity and Policy DM4 (Safeguarding Amenity) continues to be complied with.

#### Archaeology

- 6.36 Berkshire Archaeology notes the investigations which have been continuing on the playing fields site and is content that the current condition can be reapplied, unchanged, for this variation application.

#### Footpath 43 Mapledurham

- 6.37 Officers consider that whilst the development may 'affect' the footpath, the footpath itself does not require a formal Diversion and the likely purpose of the footpath -that of accessing Mapledurham Playing Fields - can still be achieved by

accessing suitable public areas/Highway and no conflict with Development Plan policies which encourage walking are identified.

#### The need for a Primary school in this part of the Borough

- 6.38 There are objections to this application - as there were to the previous proposal - on the basis that the birth rate is declining and that there is no longer a need for a primary school in this part of the Borough. Whilst the principle of the school is not a relevant consideration to this variation application, members are advised for their information that the RBC Brighter Futures for Children service confirms that there is a continuing need for The Heights primary school. Once completed, the school will replace the temporary school at Gosbrook Road, which currently has 276 pupils on the school roll with another 50 arriving in September 2019.

#### Parking, transport, accessibility, servicing, etc.

- 6.39 These aspects of the development are not proposed to be materially altered in the proposals, although the slight alterations proposed to the staff car park layout/markings and gating arrangements. Whilst such matters would continue to be covered via condition, the Highway Authority is concerned that the gating, which appears to be to allow time-limited use of part of the parking area as childrens' play area. In order to ensure pedestrian safety, a management plan for the use of this area is required and an additional condition is recommended.

#### Accessibility

- 6.40 The introduction of a level change within the school grounds has meant the inclusion of a shallow ramp is necessary. No conflict with Policy CS5 is advised.

#### Flooding

- 6.41 The original Flood Risk Assessment (FRA) is not proposed to be updated. No additional flood risk has been identified as a result of these changes.

#### Air quality

- 6.42 Additional impacts on air quality through loss of trees will be considered in the re-provision of trees in the mitigation strategy, to be advised. At this stage, no concerns are advised.

#### Equality Act

- 6.43 In determining this variation application, the Committee 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. There is no indication or evidence (including from consultation on the application) that the protected groups 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 In summary:

1. The changes required are unfortunate in terms of the extra impact on the surrounding trees but this extra harm is considered to be capable of mitigation;
2. Changes to the building itself are minor and acceptable;
3. Additional impacts on the character and openness of the playing fields are comparatively minor/localised; and
4. The majority of planning considerations relevant to application/permission 171023/FUL are not affected by this variation application.

7.2 There is a continuing need for a primary school in this part of Caversham and the applicant advises that it is imperative that these changes are agreed to allow the build to be commenced with a view to keeping the school to its scheduled September 2020 opening.

7.3 Subject to the satisfactory conclusion of matters as detailed in the Recommendation above - principally the linking of this variation proposal to the s106 legal obligations of the original permission, officers recommend that you **GRANT** s73 variation planning permission.

**Case officer:** Richard Eatough

Plans and full list of documents which apply (both new and carried forward from application/permission 171023/FUL) to this application:

Plans:

<i>Drawing title</i>	<i>Drawing no as submitted</i>	<i>Revision</i>	<i>Notes (see also cover letter)</i>
<b>Architect</b>	<b>DMA</b>	<b>Noviun</b>	
Proposed site plan within MPF	THS/DMA/XX/00/DR/A/01101/S2/P4	FS0820-NOV-V1-ZZ-PL-A-0003 rev P01	Same redline PA site
Proposed GF plan	THS/DMA/XX/00/DR/A/02101/S2/P3	FS0820-NOV-V1-00-PL-A-0004 rev P01	Pupil entrance/core moved from N to S, hall/kitchen layout adjusted
Proposed 1F plan	THS/DMA/XX/00/DR/A/02102/S2/P3	FS0820-NOV-V1-01-PL-A-0005 rev P01	Core moved from N to S, classrooms adjusted
Proposed roof plan	THS/DMA/XX/00/DR/A/02103/S2/P4	FS0820-NOV-V1-RL-PL-A-0006 rev P01	Increased height behind parapet, hence fold down safety barrier; PVs increased, biodiverse roof shown, kitchen plant and AHU indicated; lift overrun omitted
Proposed N S elevations	THS/DMA/XX/00/DR/A/03101/S2/P3	FS0820-NOV-V1-ZZ-PL-A-0007 rev P01	Amended roof over entrance; pupil entrance moved; minor fenestration changes
Proposed E W elevations	THS/DMA/XX/00/DR/A/03102/S2/P3		Greater activity on E elevation, amended fenestration on W reflecting classroom layout
Proposed key sections	THS/DMA/XX/00/DR/A/04101/S2/P3	FS0820-NOV-V1-ZZ-PL-A-0008 rev P01	Additional floor/floor heights (+300mm x2) behind parapet NB sections reversed!
<b>Landscape architect</b>	<b>Ryder</b>	<b>terrafirma</b>	
School landscape plan	HPS-RYD-XX-XX-DR-L-0001 P9	FS0820-TFC-V2-00-DR-L-1001 rev P01	Changes reflecting accommodation of levels, loss of trees, while maximizing playspace
Wider Landscape context plan	HPS-RYD-XX-XX-DR-L-0002 P6	FS0820-TFC-V2-00-DR-L-1002 rev P01	
Indicative sections and elevation sheet 1	-	FS0820-TFC-V2-00-DR-L-5001 rev P01	New – shows levels
Indicative sections and elevation sheet 2	-	FS0820-TFC-V2-00-DR-L-5002 rev P01	New – shows levels

All other originally submitted documents are unaffected by this variation application.

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## COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 6<sup>th</sup> February 2019

Ward: Norcot

App No.: 181555/FUL

Address: Grovelands Baptist Church, 553 Oxford Road, Reading

Proposal: 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.

Applicant: The Trustees of the Gate

Date application valid: 1<sup>st</sup> September 2018

Major Application 13 week target: 1<sup>st</sup> December 2018

Extended deadline: 29<sup>th</sup> February 2019

Planning Guarantee 26 week target: 2<sup>nd</sup> March 2019

### RECOMMENDATION

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

**GRANT** Planning Permission subject to conditions and informatives and subject to the satisfactory completion of a S.106 legal agreement.

or

**REFUSE** permission should the legal agreement not be completed by the 29<sup>th</sup> February 2019 unless a later date is agreed by the Head of Planning Development & Regulatory Services.

The Section 106 Legal Agreement to secure the following:

#### *Affordable Housing*

- On- site - first floor - Unit 1 - 2 bed - affordable rent; Unit 2 - 1 bed - affordable rent; Unit 5 - 3 bed - shared ownership
- Cascade mechanism to ensure that there is a default mechanism of a financial contribution should neither a registered provider nor RBC wish to take on the affordable housing units in the scheme.
- 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.

#### *Transport*

- Parking provision - 6 no. spaces to be provided at the Wilson Road site (171087)

#### *Employment, Skills and Training*

- Financial contribution of £2,295 towards Construction Skills

GRANT Planning Permission subject to conditions and informatives

#### CONDITIONS TO INCLUDE:

- 1) Standard Time Limit

- 2) Approved Plans
- 3) Materials and details to be approved
- 4) Detailed elevational plans at 1: 20 scale to be submitted to and approved prior to construction.
- 5) L2a - Landscaping - When details need to be submitted for approval
- 6) L2b - Landscaping implementation
- 7) L3 - Standard Landscaping Maintenance
- 8) Noise -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
- 9) Implementation of approved noise mitigation scheme
- 10) Hours of community use to be 8.00am to 23:00 Monday-Saturday and 10:00 to 21:00 on Sundays and Bank Holidays
- 11) Amplified sound levels within the community space to not exceed 80dB.
- 12) Assessment of contamination.
- 13) Submission of contamination remediation scheme.
- 14) Implementation of approved remediation scheme.
- 15) Reporting of unexpected contamination.
- 16) CMS including control of noise and dust.
- 17) The hours of noisy construction, demolition and associated deliveries shall be restricted to the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays.
- 18) No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.
- 19) DC1 - Vehicle parking space provided in accordance with approved plans
- 20) DC3 - Bicycle parking space provided in accordance with approved plans
- 21) DC6 -Bin storage
- 22) DC7 & DC8 - Parking permits
- 23) Visibility splays to be provided before development
- 24) Car parking management plan prior to occupation
- 25) *Sustainable Drainage* - No development shall take place until details of the design, implementation, maintenance and management plan of the sustainable drainage scheme have been submitted to and approved by the Local Planning Authority.
- 26) *Sustainable Drainage* - No building / dwelling hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted and approved details.

**INFORMATIVES TO INCLUDE:**

- 1) Terms and conditions.
- 2) Building control approval.
- 3) Encroachment.
- 4) Highways
- 5) Parking permits
- 6) Pre-Commencement conditions.
- 7) CIL- chargeable.
- 8) Positive and proactive.

## 1.0 INTRODUCTION

- 1.1 This application was deferred at 6<sup>th</sup> December Planning Applications Committee in order that further information could be submitted, namely a Heritage Impact Assessment and a Viability Appraisal, the latter to compare the viability of the



proposed scheme with that of retaining all or some of the building to deliver the same overall proposal.

1.2 The following documents were submitted:

- Viability Appraisal, January 2019, prepared by Ashburnham Cameron Partnership, received 17<sup>th</sup> January 2019
- Heritage Impact Assessment, v2, dated 15<sup>th</sup> January 2019, prepared by Heritage Planning Services Ltd, received 15<sup>th</sup> January 2019

1.3 Both documents were sent to all the Planning Applications Committee councillors, saved on the website, and those who commented on the application were notified of the additional information.

1.4 A summary of the documents is set out below.

#### Heritage Impact Assessment

1.5 The objective of the assessment was to identify the nature, extent and significance of the application site and to assess the impact that any development might have upon the non-designated heritage asset (locally listed).

1.6 The conclusion of the report is that *“whilst the proposals will cause substantial harm to the heritage asset, when weighed against the public benefit of providing a modern flexible community hub and ten sustainable new homes, it is considered that the proposals should be acceptable in heritage terms.”*

1.7 It is recommended that the following mitigation is undertaken:

- Pre-commencement Level 2/3 Building Recording of the interior and exterior of Grovelands Church;
- Provision for a watching brief during any stripping of the church interior to record concealed historic features that may be revealed during the works.

#### Viability Appraisal

1.8 The officer advised the agent that this should be a comparison between the proposed scheme (demolition and rebuild) and reusing some/ all of the existing building to create the same scheme with respect to the overall total quantum of community and residential floorspace. Therefore, two options were compared.

1.9 Option 1: the application scheme; Option 2: the retention of some of the chapel façades, full retention and refurbishment of the chapel tower, porch and vestibule and construction of new accommodation.

1.10 For Option 2 concept drawings with accurate floor areas and floor levels were produced to inform the financial viability assessment by the cost consultant. In summary this included the following design elements;

- To provide the same quantum of accommodation as Option 1, the existing chapel roof would have to be removed and the rear of the building substantially extended, including along Wilson Road.
- The existing tower, vestibule and porch would be retained and refurbished. These contain the date stone, cupola and stained glass.
- The existing hall would be demolished to enable the provision of outdoor play space for the nursery and sufficient car parking.

- A new structural steel frame would be required to support the retained north and west façades of the chapel along Oxford Road and Wilson Road.
- The new structure would support a new first and second floor, which would rise above the existing facade. This would be a mansard roof structure with dormer windows and roof lights.
- The existing chapel windows are not at the right levels to suit a new first floor accommodation, and many of the window openings would have to be modified in size, and new windows punched into the existing retained façades, in order to provide adequate light, views and ventilation for the new residential accommodation.
- As the existing façades to be retained are set back from the street, more bulk would be required to the rear of the site.
- Windows in the new external walls would not line through with the existing chapel windows.

1.11 The report concludes that the construction cost for Option 2 would be greater than that for Option 1, this is because of the abnormal costs associated with the temporary support, design, repairs and strengthening of retaining the façades, and alterations of openings to align with the new floor levels, plus an extended construction period for these works. There would also be additional costs associated to professional fees and contingency. Option 2 would also attract VAT at 20%. Option 2 would be 32% greater in cost than Option 1 and would represent a considerable loss for the applicant, whereas the new build Option 1 would enable the community element to be funded by the residential sales.

1.12 The Council's Valuer has reviewed the Viability Appraisal and additional information has been requested, which will be reported in an update. However, the Valuer agrees that *"façade retention would be more costly in engineering/design terms, incur additional professional fees and carry greater risk, so should have a higher contingency allowance than a 100% newbuild scheme."* And that *"the build period will be greater and note that the applicant has assumed 52 wks for the newbuild scheme and 65 wks for the façade retention.....an additional 3 mths seems reasonable to allow for the specialist work and additional preliminary works required to keep and protect the façade during works."*

1.13 The Valuer currently concludes, based on the information submitted, that "retaining the façade is not viable potentially by a significant margin, and the newbuild scheme would be considered marginally profitable in the market."

Other

1.14 A public response, objecting to the scheme, has been received from the Ancient Monuments Society. This is included at Appendix A below. It should be noted that they did not comment on the application prior to it be presented to Committee in December 2018.

1.15 Please note that the recommendation has been amended from the original reports (appended below) to include a clause regarding the application of affordable housing contributions should the building subsequently be extended / altered (to create further units) or units subdivided.

## APPENDIX 1:

*"The Ancient Monuments Society is a National Amenity Society which means that it has to be consulted under Government Direction when a listed building is the subject of an application to demolish in whole or part. Our concern is with historic buildings of all ages and all types.*

*Our attention has been drawn to the present application to demolish and redevelop the site at 553 Oxford Road, presently occupied by the former Grovelands Chapel designed in 1899 by the local, and well-informed, practice of Cooper and Howell.*

*We note that the building has been added to Reading's Local List. We note too that it has been scrutinised by Historic England for statutory protection as a Grade 11 listed building. We concur with the view that had the interior not been effectively gutted ( except for the roof, on which see below ) it would have been included on the statutory lists. I say this as someone who has just been formally commissioned by Historic England to carry out a six-month survey of the range and effectiveness of Listing in England as a whole.*

*The AMS is very concerned about the threat to this fine building and we strongly oppose the current application.*

*We do so for the following reasons:*

### *THE BUILDING*

- 1. It is an original and powerful composition in a streetscape which cannot afford to lose buildings of this individuality.*
- 2. It is a significant work by a dominant local practice. The latter is described in the documentation supplied and expounded more fully in Sidney Gold's pioneering overview of the architects of Reading, published in 1999. Cooper and above all Howell were clearly conversant with architectural fashion and there are telling echoes of Charles Rennie Mackintosh and Harrison Townsend, especially in the tower and the Art Nouveau stained glass. The newly-revealed and elaborate internal trusses, with their open arcades, huge hand-forged bracket hinges and carved drops or bosses show their equal appreciation of the "Queen Anne" style which embraced a revival of interest in architecture of the 17<sup>th</sup> and 18<sup>th</sup> centuries. So too with the rainwater hopper heads.  
*The only loss has been the spirelet or "fleche" on the roof - but these are common casualties on buildings of this sort where the ventilation systems that they serve went out of use.**
- 3. Reading is a city which demonstrated in the later 19<sup>th</sup> century the endless possibilities in the combination of local brick and terracotta and this is an excellent example. Just look at the architects' creative inventiveness in "peeling back" the lintol over the windows, the floral motif on the main keystone on the principal frontage and over the door, the almost organic curlikews at the bottom corners of the gable, and string courses which have been so successful in preventing run-off and staining to the windows and terracotta below. I could go on.*

4. *The other consequence of using these two materials is that the exterior is in remarkably good condition for a building that is 120 years old. The terracotta looks as sound as the day it went in and if there has been any replacement of bricks it seems to be minimal. Yes there is damp inside but you don't demolish an otherwise sound building if inaction has led to damp.*

#### THE PROPOSAL

5. *The proposal is to flatten everything that is presently on the site and provide a new block of flats with some public space for community use. The design is an extremely pared-down echo of the existing but without any of its subtlety of materials and detailing. There are promises to resite the stained glass, the datestone, the window surrounds and the cupola to the tower within the new composition but apart from the latter I cannot find any confirmation in the drawings of where this is to be achieved. These promises are welcome but it has to be said that the cupola sits very uneasily in its new location. These promises of random resiting are no compensation for the destruction of the host building itself.*
6. *With imagination, we don't seem why the existing building cannot be retained and combined with conversion and redevelopment.*
  1. *The former chapel is, internally, a vast unencumbered space, ready-made for conversion.*
  2. *The rear elevation under the catslide roof is of no architectural significance and could be lost, in good part, to allow for a substantial extension.*
  3. *The separate Sunday School is of minimal interest and can safely be demolished to increase the space at the back (away from the noise of the main road ) which can be redeveloped for an entirely new block.*

#### SUMMARY

*The former Grovelands Chapel is a fine example of inventive fashionable design by a good local architect who built to last. It is demonstrably capable of conversion and there is space at the back of the site for combining that with newbuild.*

*We urge that this accomplished building be retained and converted"*

**APPENDIX 2: DECEMBER PAC REPORT**  
**COMMITTEE REPORT**

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 5<sup>th</sup> December 2018

ITEM NO.

Ward: Norcot

App No.: 181555/FUL

Address: Grovelands Baptist Church, 553 Oxford Road, Reading

Proposal: 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.

Applicant: The Trustees of the Gate

Date application valid: 1<sup>st</sup> September 2018

Major Application 13 week target: 1<sup>st</sup> December 2018

Extended deadline: 21<sup>st</sup> December 2018

Planning Guarantee 26 week target: 2<sup>nd</sup> March 2019

**RECOMMENDATION**

GRANT Planning Permission subject to conditions and informatives and subject to the satisfactory completion of a S.106 legal agreement.

or

REFUSE permission should the legal agreement not be completed by the 21<sup>st</sup> December 2018 unless a later date is agreed by the Head of Planning Development & Regulatory Services.

The Section 106 Legal Agreement to secure the following:

***Affordable Housing***

- On- site - first floor - Unit 1 - 2 bed - affordable rent; Unit 2 - 1 bed - affordable rent; Unit 5 - 3 bed - shared ownership
- Cascade mechanism to ensure that there is a default mechanism of a financial contribution should neither a registered provider nor RBC wish to take on the affordable housing units in the scheme.

***Transport***

- Parking provision - 6 no. spaces to be provided at the Wilson Road site (171087)

***Employment, Skills and Training***

- Financial contribution of £2,295 towards Construction Skills

GRANT Planning Permission subject to conditions and informatives

**CONDITIONS TO INCLUDE:**

- 27) Standard Time Limit
- 28) Approved Plans
- 29) Materials and details to be approved
- 30) Detailed elevational plans at 1: 20 scale to be submitted to and approved prior to construction.
- 31) L2a - Landscaping - When details need to be submitted for approval
- 32) L2b - Landscaping implementation
- 33) L3 - Standard Landscaping Maintenance

- 34) Noise -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
- 35) Implementation of approved noise mitigation scheme
- 36) Hours of community use to be 8.00am to 23:00 Monday-Saturday and 10:00 to 21:00 on Sundays and Bank Holidays
- 37) Amplified sound levels within the community space to not exceed 80dB.
- 38) Assessment of contamination.
- 39) Submission of contamination remediation scheme.
- 40) Implementation of approved remediation scheme.
- 41) Reporting of unexpected contamination.
- 42) CMS including control of noise and dust.
- 43) The hours of noisy construction, demolition and associated deliveries shall be restricted to the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays.
- 44) No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.
- 45) DC1 - Vehicle parking space provided in accordance with approved plans
- 46) DC3 - Bicycle parking space provided in accordance with approved plans
- 47) DC6 -Bin storage
- 48) DC7 & DC8 - Parking permits
- 49) Visibility splays to be provided before development
- 50) Car parking management plan prior to occupation
- 51) *Sustainable Drainage* - No development shall take place until details of the design, implementation, maintenance and management plan of the sustainable drainage scheme have been submitted to and approved by the Local Planning Authority.
- 52) *Sustainable Drainage* - No building / dwelling hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted and approved details.

**INFORMATIVES TO INCLUDE:**

- 9) Terms and conditions.
- 10) Building control approval.
- 11) Encroachment.
- 12) Highways
- 13) Parking permits
- 14) Pre-Commencement conditions.
- 15) CIL- chargeable.
- 16) Positive and proactive.

## 1.0 INTRODUCTION

- 1.14 The application site known as Grovelands Chapel and the Gate Oxford Road Centre, is situated on the corner of Oxford Road and Wilson Road. The existing main chapel was built in 1899. A smaller hall is situated in the south east corner of the site with the remaining area comprising hardstanding used for car parking. The site area comprises 0.07 hectare.

1.15 The site is used by 'The Gate'<sup>1</sup> as a resource centre for hosting church groups and other events.



Photo taken from opposite side of Oxford Road of Wilson Road junction



Rear of the site



Rear elevation of church

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<sup>1</sup> Formerly known as Reading Community Church, formed in 2005 from the merger of two local Baptist Union affiliated churches, Tilehurst Free Church and Grovelands Christian Fellowship.



Wilson Road

- 1.16 Alongside the previous refused scheme (171086) the applicant submitted a further application for the land between 2-4 Wilson Road (171087), currently a piece of derelict land between the terraces on Wilson Road (photo above) and the rear of premises on Oxford Road. The Wilson Road site application has not yet been determined, but officers are minded to approve that scheme and the affordable housing contribution has been agreed in principle, subject to the completion of the S106 legal agreement. As the Wilson Road site is not a major application the decision can be undertaken under delegated authority. The Wilson Road site is intended to provide some of the parking provision for the application site and therefore there would need to be a clause in the S106 legal agreements linking the two sites together.
- 1.17 The surrounding area comprises a mix of commercial and residential properties including Victorian terraces and terraces of commercial uses at ground floor with residential above. Immediately to the south of the site there is a new terrace of three 2 storey dwellings.
- 1.18 On the plan below the application site is shown edged red and 2-4 Wilson Road (171087) edged blue.





## 2.0 PROPOSAL AND SUPPORTING INFORMATION

- 2.1 Since the applicant obtained planning consent in 2013 at the application site (lapsed permission 12/01577/FUL) the 'Gate' has embarked on a strategic review of their buildings across a number of sites. Church services are now held at their Meadway site and it is the aim that that site will become the central core facility for the Gate; work is progressing on developing a design/ proposal for it. Alongside this it is intended that the application site be redeveloped to retain community space as well as creating residential development. The applicant states in their Design and Access Statement that *"If planning consent is granted for the proposed development at Oxford Road, the proceeds will help the Church maintain its community presence at Oxford Road, ..... as well as help fund the proposed building works at the Meadway site. Both sites will provide significant community assets to serve the local communities for years to come"*.
- 2.2 The applicant engaged in pre-application work with RBC seeking to agree design principles. Pre-application meetings were held in April and July 2018 and a presentation was made to the Design Review Panel on 7<sup>th</sup> June 2018, and subsequent amended details were provided to the DRP via email. Further details are set out in section 6 below.
- 2.3 The applicant also held a public consultation event with invitations delivered to four hundred properties in the surrounding streets as well as personal invites to all those who objected to the previous application living further afield, all local councillors, and the Reading Civic Society. The applicant posed three key questions on feedback forms as follows:
- 1) Do you have any comments on the proposals?
  - 2) Are there any aspects of the design you think should be addressed?
  - 3) Do you think any issues may arise from the proposals?
- 2.4 Comments received are summarised in the Design and Access Statement (DAS), and the applicant sets out elements included in this planning submission in response including:
- Existing bell tower to be refurbished and incorporated into the corner tower design
  - Reference to existing church features used as a concept in the final design
  - Gables option elevations developed
  - Contrasting red brick colours emphasised in the final design
- 2.5 Further details are set out in the DAS.
- 2.6 Car parking and affordable housing principles were also agreed at pre-application stage with RBC's Housing and Transport teams.
- 2.7 It is proposed to demolish the existing buildings on the church site and to replace it with a new building which includes the following:
- A nursery for up to 26 no. 2-4 year olds run by a social enterprise arm of the church called 'Love Your Community'
  - 370 sqm community facilities on the ground floor comprising 3 no. meeting halls (Halls 1 & 2 for use by the nursery during nursery hours - up to 24 no. 2-4 year olds and 4 no. staff), kitchen within the main foyer, 2 no. staff rooms and a manager's office. The Church intends to run a community café in the foyer space.
  - Rear outdoor soft play area for the nursery to be screened from the car park.

- 10 flats over floors one and two with 3 affordable housing units - 2x3 beds; 6x 2beds, and 2x1 beds as follows:

First Floor

- Unit 1 - 2 bed 3 person - 62sqm (affordable unit)
- Unit 2 - 1 bed 2 person- 50sqm (affordable unit)
- Unit 3 - 2 bed 4 person- 70sqm
- Unit 4 - 2 bed 4 person - 75sqm
- Unit 5 - 3 bed 6 person - 100sqm (affordable unit)

Second Floor

- Unit 6 - 2 bed 3 person - 62sqm
- Unit 7 - 1 bed 2 person- 50sqm
- Unit 8 - 2 bed 4 person- 70sqm
- Unit 9 - 2 bed 4 person - 75sqm
- Unit 10 - 3 bed 6 person - 100sqm

- 11 car parking spaces (4 residential and 7 community/nursery use) (remainder of residential parking, 6no. spaces, to be provided at the Wilson Road site)
- 11 cycle parking spaces (Allocated to the residential units of the application site and the Wilson Road site)

Community Infrastructure Levy (CIL)

2.8 The proposed scheme would generate in the region of £121, 661 (CIL), based on £147.29 (2018 indexed figure) per sqm of GIA.

2.9 The following plans and supporting documents have been assessed:

***Received 3<sup>rd</sup> September 2018 (unless otherwise stated):***

- Location Plan - Drawing no: 100
- Site Block Plan - Drawing no: 101B
- Existing Site Plan and Floor Plans Survey - Drawing no: 120
- Existing Elevations Survey - Drawing no:130
- Proposed Elevations North and West - Drawing no: 160D
- Proposed Elevations South and East - Drawing no: 161C
- Ground Floor Plan as Proposed - Drawing no: 150F, received 30<sup>th</sup> October 2018
- First Floor Plan as Proposed - Drawing no:151D
- Second Floor Plan as Proposed - Drawing no: 152D
- Roof Plan as Proposed - Drawing no: 154B
- Proposed 3D View at Junction of Wilson Road and Oxford Road - Drawing no: 140C
- Proposed Surface Water Drainage Plan - Drawing no: 170A

***Other Documents received 3<sup>rd</sup> September 2018 (unless otherwise stated):***

- Affordable Housing Statement, prepared by CPL Chartered Architects, Revision A - 30<sup>th</sup> August 2018
- Air Quality Assessment, Document ref: P2894.2.1. prepared by agb Environmental, dated 16<sup>th</sup> June 2017
- Bat Survey report, document ref: P2894.1.0, prepared by agb Environmental, dated 30<sup>th</sup> June 2017
- BREAAAM 2018 Pre-Assessment, prepared by MES Building Solutions, dated 23<sup>rd</sup> August 2018
- CIL form, Revision A, received 12<sup>th</sup> November 2018

- Design and Access Statement, prepared by CPL Chartered Architects, Rev B, received 12<sup>th</sup> November 2018
- Energy and Sustainability Statement, prepared by MES Building Solution, dated 28<sup>th</sup> August 2018
- Environmental Noise Assessment V2, document ref: M3956, prepared by Ian Sharland Ltd, dated 29<sup>th</sup> August 2018
- Heritage Statement, prepared by CPL Chartered Architects, Revision B dated 10<sup>th</sup> October 2018, received 17<sup>th</sup> October 2018
- Phase 1 Geoenvironmental Desk Study Report, document reference: 17.06-004, prepared by Listers Geo, dated June 2017
- Planning Statement, prepared by CPL Chartered Architects, Revision B, received 12<sup>th</sup> November 2018
- Transport Statement, document ref 8170569/MB/DW/002 Issue 1, prepared by Glanville, dated 20<sup>th</sup> June 2017

### 3.0 PLANNING HISTORY

#### 3.1

**06/00885/FUL (060558)** - Rear extensions and alterations for church use - Approved 18/9/2006 - this allowed for alterations and extensions to the existing building in order to provide additional space to accommodate the existing congregation and its associated ministry, and to enable the church to increase the scope and range of its community facilities such as the youth programme, crèche and toddler facilities. The scheme involved subdividing the building internally to provide two additional floors and to also extend the building to the rear.

**08/01571/PREAPP (081722)** - Pre-application advice was sought in 2008 to demolish the existing structures and replace them with a new three-storey community facility together with three residential units to be occupied by people working in the community facility - Obs sent -23/12/08

An application was made to English Heritage at that time to list the existing church, but due to the significant alteration of the interior they concluded that it was not of "special interest at national level", and did not meet the high threshold of national significance required for listing."

**11/01189/FUL (111475)** - Demolition of the existing church buildings, construction of a new 3 storey church building to accommodate worship/meeting rooms, offices, café and 2 retail outlets. Attached residential accommodation comprising 1x 1 bed and 1x 2 bed and 1x studio flat - Refused 19/10/11

This was considered by Planning Applications Committee in October 2011 and was refused planning permission for the following reasons:

- 1) *By virtue of the proposed footprint, height, massing and lack of set back from neighbouring properties the proposed development would appear cramped and overly dominant within the streetscene. The high eaves and vertical emphasis further result in the development sitting uncomfortably with the neighbouring properties and it is therefore considered a contrived and discordant feature within the street scene.*
- 2) *The proposed development will have an unacceptable overbearing impact on the neighbouring terrace at 543-551 Oxford Road and by virtue of the raised terrace will cause overlooking and a loss of privacy.*

- 3) *The layout fails to provide sufficient car parking spaces and does not therefore comply with the Local Planning Authority's standards in respect of vehicle parking. This could result in on-street parking/reversing movements on Wilson Road, adversely affecting road safety and the flow of traffic.*
- 4) *By virtue of the foregoing reasons for refusal, which find the design and appearance of the replacement buildings unacceptable the proposed development has failed to justify the loss of the locally important historic building.*
- 5) *The proposed development does not comply with the Local Planning Authority's standards in respect of secure cycle storage provision.*
- 6) *As a result of the proposed gates being set back just 3.5 metres from the boundary vehicles will have to wait in the carriageway which is unacceptable.*
- 7) *In the absence of a completed legal agreement to secure contributions towards transport (Reading Urban Area Package), local recreation/leisure and education infrastructure improvements and affordable housing the proposal fails to deal with its direct impact.*

**12/01577/FUL (121716)** - Demolition of the existing church buildings, construction of a new 3 storey church building to accommodate worship/meeting rooms, offices, café and 2 retail outlets. Attached residential accommodation comprising 1x 1 bed and 1x 2 bed and 1x studio flat (Resubmission of 11/01189/FUL) - Approved 8/4/13

This permission was subject to a S106 legal agreement, which included parking provision on the Wilson Road site.

**160926/PREAPP** - Mixed use community/commercial and residential development - Obs sent 19/5/16.

This pre-app was based on a proposal for shops, café, 3 meeting rooms, 1 bed flat at ground floor, 4 no. 2bed flats at first floor and 4 no. 2 bed flats and 1 no. 1 bed flat at second floor. This was to be the same footprint and identical elevations to the approved scheme (12/01577/FUL). This proposal included for Wilson Road to be for housing.

Advice provided was that the principle of the number of units would only be acceptable if there was clear justification and evidence for the significant reduction in the community benefits of the scheme; proposed parking provision would be well below council standards, and it was strongly advised that any scheme made use of the plot on Wilson Road for parking. It was advised that an approach to retaining and reusing some of the distinctive features of the church would be welcomed, as had been required under condition on the approved scheme (12/01577/FUL); an assessment of air and noise would be required as well as a bat survey.

**171086/ FUL** - Demolition of existing church buildings and redevelopment of the site to provide a four storey mixed use development comprised of community halls and ancillary accommodation at ground floor level, car parking and 2 x one bedroom flats and 10 x two bedroom flats at the upper floor levels - Refused 27/2/18

This was considered by Planning Applications Committee in February 2018 and was refused planning permission for the following reasons:

1. *The design is not considered to provide a high quality replacement building which responds positively to the context and would not maintain and enhance the character and appearance of the area. Its height and massing are inappropriate within the area, overly dominant and overbearing, with a top-heavy appearance,*

*alien features such as the open 'grid' façade, and a top floor considered too tall proportionally compared to the main façade contrary to policy CS7.*

*2. The proposed height and mass of the building along Wilson Road is considered overly dominant within the streetscene, and would not relate well to the neighbouring residential properties contrary to policy CS7.*

*3. The raised terraces at upper floors to the rear would cause overlooking and the perception of overlooking, and loss of privacy, for surrounding residential properties, and will introduce amenity space at a height uncharacteristic in this area contrary to policy DM4.*

*4. By virtue of the unacceptability of the design and appearance of the replacement building, the proposed development has failed to justify the loss of the locally important historic building contrary to policy CS33.*

*5. In the absence of a completed legal agreement to secure contributions towards employment, skills and training, and securing affordable housing of an appropriate tenure, and 6 no. car parking spaces from the site at land between 2-4 Wilson Road, the proposal;*

- fails to contribute adequately to the housing needs of Reading Borough and the need to provide sustainable, inclusive mixed and balanced communities, contrary to policies CS15, DM6 and NPPF,*
- fails to provide adequate parking provision and therefore controls over the development's parking and highway impacts, contrary to policies CS20, CS24 and DM12, and*
- fails to adequately contribute to the employment, skills or training needs of local people with associated socioeconomic harm, contrary to policies CS3, CS9, DM3 and the Employment, Skills and Training SPD (2013).*

#### 4.0 CONSULTATIONS

##### (i) Statutory

4.1 None

##### (ii) Non-statutory

##### *Ecology*

4.2 The bat survey report (Agb Environmental, June 2017) has been undertaken to an appropriate standard and details the results of a preliminary roost assessment survey and one dusk emergence and one dawn re-entry surveys carried out in June. The report states that no bats emerged or re-entered the buildings and concluded that they are unlikely to host roosting bats. As such, since bats and other protected species are very unlikely to be affected by the proposals, there are no objections to this application on ecology grounds.

##### *RBC - Environmental Protection and Nuisance*

4.3 Noise impact on development - A noise assessment should be submitted in support of applications for new residential proposed in noisy areas. The noise assessment will be assessed against the recommendations for internal noise levels within dwellings and external noise levels within gardens / balconies in accordance with BS 8233:2014 and WHO guidelines for Community Noise. The report should identify any mitigation measures that are necessary to ensure that the recommended standard is

met. Where appropriate, the noise assessment data should also include noise events (L<sub>A</sub>Max) and the design should aim to prevent noise levels from noise events exceeding 45dB within bedrooms at night. Noise levels above 45dB are linked with sleep disturbance.

- 4.4 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 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.
- 4.5 Noise generating development -  
(i) *Plant noise* - Applications which include noise generating plant when there are nearby noise sensitive receptors should be accompanied by an acoustic assessment carried out in accordance with BS4142:2014 methodology.
- 4.6 The noise assessment submitted has been carried out in accordance with BS4142:2014 and the methodology has been correctly applied. The assessment concludes that the specific noise level of the proposed plant will not exceed -10dB below the background noise and the rating level does not exceed the background noise so adverse impact on the local noise climate is unlikely. The applicants have not provided details of the actual proposed plant or predicted noise levels and the noise assessment simply identified the noise limit of 37dB based on the daytime background noise level of 47dB. It is assumed from the noise assessment that plant is not expected to operate between 23:00hrs and 07:00hrs? Whilst it is preferable to have actual plant details upfront, if you are minded to consent without this, I would recommend a condition.
- 4.7 (ii) *Community centre use* - The ground floor is proposed for community use. The noise assessment for transmission of noise from this use on the residential dwellings is based on noise levels of 80dB (the sound level of shouting). I am not sure the extent of community uses planned to be held there but restricting hours of use to 08:00hrs to 23:00hrs is recommended as well as restricting amplified music sound levels to not exceed 80dB would be a good catch all whilst allowing the community centre flexibility of use.
- 4.8 Air Quality - The air quality assessment concludes that there will be no increased exposure as the levels at the site are predicted to fall below action levels.
- 4.9 Contaminated Land - Where development is proposed, the developer is responsible for ensuring that development is safe for the intended purpose or can be made so by remedial action. A phase 1 assessment has been submitted which concludes that a phase 2 assessment is necessary. Investigation must be carried out by a suitably qualified person to ensure that the site is suitable for the proposed use or can be made so by remedial action. Conditions are recommended to ensure that future occupants are not put at undue risk from contamination.
- 4.10 Construction and demolition phases - We have concerns about potential noise, dust and bonfires associated with the construction (and demolition) of the proposed development and 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. Conditions are recommended.

### ***RBC - Housing Strategy***

- 4.11 The offer of 2 units (1x1bed and 1x 2bed) at affordable rents and a 3<sup>rd</sup> (1x3bed) for shared ownership is acceptable, subject to including the standard cascade clause into the S106 for a commuted sum, should registered providers not agree to take on a couple flats in a shared block.

### ***RBC - Natural Environment***

- 4.12 The concern with the 2017 application was the lack of landscaping on the Oxford Road frontage in view of the road being identified as being a 'treed corridor' in our Tree Strategy and the also the general lack of landscaping in view of the site being in a 10% or less canopy cover area, as identified in our Tree Strategy.
- 4.13 I note, with reference to the Design & Access Statement Rev A - August 2018 and Ground Floor Plan as Proposed RCC.17 / 150 E, that landscaping has been incorporated at the rear of the site and within planters on the Oxford Road and Wilson Road frontages. Given the site constraints, the use of planters is the only feasible option, hence the landscaping principles are acceptable. I therefore have no objections subject to conditions - landscaping details to be submitted; landscaping implementation; and landscaping maintenance.
- 4.14 In terms of justifying a pre-commencement condition, it is important in this case due to the importance of the need for landscaping, i.e. we need to ensure the implementation of the landscaping has been considered at an early stage particularly as the construction of planters will be carried out alongside building construction

### ***RBC - Transport***

- 4.15 *Planning Officer note:* The following comments are the final ones from Transport. These followed the submission of an amended ground floor plan to widen the car park access to 4.1m; residents' cycle store width widened to 3.1m internally; and 6m manoeuvre zone in front of parking space 1, which has resulted in the creation of another small cycle store under the communal stair for community/nursery use so that nursery/community cycle provision is increased from 5 spaces to 6.
- 4.16 The proposed development consists of a mixed-use development located at the two closely related sites 553 Oxford Road and land between 2 and 4 Wilson Road (171087), Reading, this proposal is a resubmission of 171086.

- 4.17 This application comprises of the following:

#### Oxford Road site

- Community Hall 98-142m<sup>2</sup> Gross Floor Area (GFA)
- x6 Two Bed Flats
- x2 One Bed Flats
- x2 three bed flats
- Nursery for up to 24 Two to Four Year Old Children and Four Staff, with Flexible Pick Up and Drop Off Time
- 11 Car Parking Spaces (4 residential and 7 nursery / community uses)
- 11 Cycle Parking Spaces (Allocated to the Residential Units of Both Sites)

#### Wilson Road site

- x1 Two Bed House
- x3 One Bed Flats
- 7 Car Parking Spaces (Including 6 Allocated to Oxford Road Flats), and
- 4 Cycle Parking Spaces (Allocated to the Community Hall and the Nursery).

- 4.18 The Wilson Road site is the subject of a separate planning application reference 171087. *Planning Officer note: as referred to above that proposal is considered to be acceptable and officers are minded to approve that scheme. That site and the application site would be linked via a Section 106 legal agreement for the parking provision.*
- 4.19 A Transport Statement has been submitted to accompany this planning application and given the level of development this has been deemed appropriate, I comment on this as follows:

Access

- 4.20 The Oxford Road site proposes a new entrance location that was accepted as part of the consented scheme, this access is a minimum of 4.1m in width and so it is sufficient for two-way movement.
- 4.21 The existing footway crossover will be removed, and the footway brought up to full height. However, in reviewing the changes it has been identified that a speed hump is located within proximity to the existing and proposed vehicular access on Wilson Road. A revised drawing has therefore been submitted adjusting the location of the proposed access so that it does not conflict with the location of the speed hump and this is deemed acceptable.
- 4.22 A revised drawing will be required illustrating the visibility splay given the relocation of the access but I am happy for this to be dealt with by way of a condition given that it would be an improvement to the north over the current arrangement. Visibility to the south would be reduced but Wilson Road is one-way and therefore would not have a detrimental impact on Highway safety.
- 4.23 In line with the previous assessment the visibility splay would need to be 2.4 x 25m with a 20mph speed limit as set out in Manual for Streets. The drawings in Appendix C of the Transport Statement previously illustrated the visibility splay going through a wall / planter, any revised visibility splay is likely to be outside of this wall / planter but if not the wall and planting will need to be less than 600mm in height and is included within the condition referenced above.

Trip Rate and Traffic Generation

- 4.24 The applicant has used TRICS which is the national standard system of trip generation and analysis in the UK and Ireland, and is used as an integral and essential part of the Transport Assessment process. It is a database system, which allows its users to establish potential levels of trip generation for a wide range of development and location scenarios, and is widely used as part of the planning application process by both developer consultants and local authorities and is accepted by Inspectors as a valid way to ascertain likely trip generation.
- 4.25 The Oxford Road site is currently occupied by a church and therefore the net traffic generation of the proposals would be the traffic generated by the new development minus the traffic generated by the existing church. However to provide a robust assessment the following will simply consider the traffic predicted to be generated by the proposed development.
- 4.26 It has been noted that the community use has been based on a floor area of 145m<sup>2</sup> which is the maximum floor space available and removes the nursery floor area. It has also been noted that not all of the sites selected from TRICS are comparable in that they are provided with an increased parking provision. I have as a result undertaken my own assessment and this would reduce the level of trips compared to



that presented by the applicant. As a result I am happy that the trip rates provided are a robust assessment.

- 4.27 The sites selected for the nursery use are not all representative of the application site but following my own assessment the results are similar and therefore I am happy to accept those submitted by the applicant.
- 4.28 The trip rates for the privately owned flats are acceptable and represent an accurate reflection of what level of traffic generation would be generated for that use.
- 4.29 The number of vehicle trips that would be generated in the peak hours would approximately 16 in total and it should also be noted that this takes account of no reduction in trips that could have been generated by the existing use. Overall this is not a material increase and within the daily fluctuations on the network and given bullet point 3 of paragraph 32 of the NPPF which states proposals should only be refused on transport grounds if the residual cumulative impacts are severe, a refusal on traffic generation grounds would be hard to defend at an appeal.

Parking

- 4.30 The car and cycle parking standards relevant to the development are provided in Reading Borough Local Development Framework Revised Parking Standards and Design Supplementary Planning Document Final Adopted 31st October 2011.
- 4.31 The car parking standards adopt a zonal approach to parking provision. The development, which is the subject of this application, is located in Zone 2 Primary Core Area. The relevant car parking standards are reproduced below.

*Table 1: RBC Car Parking Provision Strategy*

<b>Land Use</b>	<b>Parking Provision</b>
Housing – 1 Bed	0
Housing – 2 Bed	1 Per Unit (Required)
Housing – 3 Bed	2 Per Unit (Required)
Community Use	1 Per 20 m2 (Maximum)
D1 Day Nurseries with Flexible Pick Up and Drop Off Time	1 Per 3 FTE Staff Plus (Maximum)

- 4.32 The above standards suggest that the development should provide the following car parking:
  - Residential: 10 car parking spaces
  - Community Hall: 7 car parking spaces, and
  - Nursery: 1 car parking space for staff and 2 for parents.
- 4.33 The following section sets out how this parking demand is met by each of the components of the development.

Residential

- 4.34 Two car parking spaces will be allocated to each of the 3-Bed residential units, one in the case of each of the 2-Bed residential units. No parking spaces are provided for the 1-bed flats. It is noted that the 2-Bed residential units within the Oxford Road site will have allocated parking spaces within the adjacent Wilson Road site,

equating to 6 spaces. The 3-bed residential units located on the Oxford Road site will be provided with the required number of 4 spaces on the application site. Overall this equates to a parking demand of 10 spaces and has been deemed acceptable given that the applicant has agreed that the future residents of the development would not be eligible to apply for residents' parking permits.

#### Nursery

- 4.35 One car parking space will be allocated for staff of the nursery in compliance with the above standard and one space will be allocated for parents. The standard suggests that the nursery would generate the demand for two parent parking spaces to facilitate the drop off and pick up of children. The remaining demand for one parent parking space for drop off and pick up would be met by the existing short term parking bays (max 30 minute stay) adjacent to the site on Oxford Road or the bays located along Wilson Road. This level of additional short term parking demand would not have a noticeable effect on parking supply and as such the provision of 2 spaces has been deemed acceptable.

#### Community Hall

- 4.36 The community hall is relatively small at 98-142m<sup>2</sup> (depending on configuration) and it is anticipated that it will be used mainly by local residents. The site is in a highly sustainable location and therefore visitors to the site will be able to walk, cycle or travel to the by public transport. As such, it is anticipated that the actual parking demand will be below the seven spaces suggested by the standard assuming halls 1, 2 and 3 are joined together.
- 4.37 Notwithstanding the above assessment identifying that parking demand is likely to be below the seven spaces suggested by the standard, assuming halls 1, 2 and 3 are joined together, the following assessment will consider how a parking demand for up to seven cars would be met.
- 4.38 The users of the community hall would have use of five allocated spaces. During the day, it is stated that residual users would be permitted to use the residents' parking spaces within the site, however this cannot be accepted as this is likely to result in conflict. Any residential parking should be retained solely for residents. However, during the day when the nursery is in use this would reduce the usable hall space to 98m<sup>2</sup> and therefore the parking demand would reduce to 5 spaces which is being proposed, the proposal therefore does not require the sharing of spaces during the day.
- 4.39 In the evenings, residual users of the community hall would be able to use the two spaces allocated to the nursery totalling the 7 spaces required to meet the Councils parking standards.
- 4.40 The above therefore guarantees a car parking allocation of the following:
- 7 dedicated spaces for the community hall/nursery;
  - 1 space per unit for 6, two bed units i.e. 6 residential spaces;
  - 2 spaces per unit for 2, 3 bed units i.e. 4 residential spaces; and
  - The remaining one-bed units would be car free.
- 4.41 This ensures that the parking for the community hall / nursery and the residential complies with Policy. However, given that the parking allocation is spread over two sites the proposal will require the provision of a car park management plan but I am happy for this to be dealt with by way of a condition.

- 4.42 The development site is located in an area designated as a Residents Parking Permit Area. Under the Borough's current parking standards, this proposal would generate additional pressure for parking in the area. Therefore there should be an assumption that any future occupants of the flats will not be issued with resident parking permits.
- 4.43 The car parking layout has been updated and I can confirm that this now complies with Policy.
- 4.44 The Transport Statement has stated that the development will require a provision of cycle parking that complies with the following:

*Table 2: RBC Cycle Parking Standards*

<b>Land Use</b>	<b>Standard</b>
Day nursery	1 per 2 FTE staff
D1 Places of Worship/ Church Hall	1 per 50 m2
Flat 1/2 bed	0.5 per 1 flat
House 2/3 bed	2 per 1 house

- 4.45 The standards suggest that the development should provide the following cycle parking spaces:
- Residential: 8 cycle parking spaces
  - Community Hall: 3 cycle parking spaces, and
  - Nursery: 2 cycle parking spaces.
- 4.46 The development provides six secure covered cycle parking spaces dedicated for the residential use and six cycle parking spaces for the nursery and the community hall within the Oxford Road site. Four secure covered cycle parking spaces will also be dedicated for the residential use within the Wilson Road site. This provision is in excess of the Councils standards and therefore complies with Policy.
- 4.47 The cycle parking layout complies with standards and therefore is acceptable.
- 4.48 Refuse can be collected from Wilson Road with refuse collection areas located within 15m of the carriageway. The refuse doors open out but this is not over the Public Highway so is deemed acceptable. However, it should be confirmed through the Waste Management Department whether the number of bins illustrated is sufficient to serve the development.
- 4.49 In the circumstances there are no transport objections subject to conditions - CMS, vehicle parking spaces provided in accordance with approved plans, Bicycle parking space provided in accordance with approved plans, bin storage, no entitlement to parking permits, visibility splays before occupation, car parking management plan.

**(iii) Public/ local consultation and comments received**

- 4.50 Notification letters were sent to 2-20 Wilson Road (even), 1c Wilson Road 543-555 Oxford Road (odd), 500-510 Oxford Road (even), 2-12 (even) Wantage Road, and all previous respondents to the refused application 171086 (totalling a further 33 households), a notice in the press and a site notice displayed. 18 responses were received, including 7 no. in support.

Comments are summarised as follows (full responses are available to view on line, via RBC website):

#### *Parking issues*

- Cause excessive congestion in an already congested area.
- 10 residences and only 4 parking spaces for residents! How on earth is that going to work without conflict?
- I do not believe the parking and transport plans will adequately deal with the issues having a nursery, community use and residential use of the building will cause to existing residents.

#### *Design/ Loss of Building*

- English Heritage recognises this as a beautiful building built by a famous Reading architect. Something like this can NEVER be replaced.
- The overall look of the building is now in keeping with the existing building. The inclusion of the existing bell tower will be a great asset, giving a continued history.
- The new building will be able to contain all sorts of new life, not least the proposed nursery school for which there is a need in Reading of quality nursery provision.
- The new plans are attractive, functional and will be a great asset to the local community.
- The level of anti-social behaviour taking place in the rear car park of the chapel, is causing distress to local residents. By re-developing this site the opportunity for a small minority to engage in such behaviour is removed. Wilson Road deserves better.
- Support request for local listing made by Reading Civic Society.
- This is a unique heritage building which fits within the context of the local area. We would expect that, if at the end of its useful life as a church, it would be adapted for an alternative use rather than demolished.
- A very large residential development and the mass of the proposed building will dominate the road.
- The installation of balconies on Wilson Road side is objected to, they are out of keeping with all other neighbouring residential properties and will feel like they are overhanging the road, and would not complement the pre-1914 streetscape.
- Appreciate the pointed gables and the bell tower on the North elevation of the main building, but can there be some more imagination involved, to make an attractive and fitting design? I hate to lose an eccentric historical building - some style is required for its replacement.
- While the Design and Access Statement goes into a considerable level of detail of townscape impacts, there does not appear to be any specific assessment in the application of the heritage impacts of the loss of the existing building as a non-designated heritage asset in its own right, and of its proposed replacement on the settings of nearby listed buildings.
- The design of the proposed building neither justifies the loss of the existing building, nor does it provide a building of high quality design that is respectful of its local context.
- Although, smaller than previous application, the proposal is still too imposing - far larger than surrounding buildings and its block multi floor structure is very different to existing sloping roof of church.
- The existing chapel is described as handsome and well-composed by English Heritage. They also say "The quality of the chapel's exterior and the local standing of its architect give it considerable significance in the Reading context" As such, to destroy the building any replacement has a high architectural expectation. The proposed structure echoes only the most basic

architectural details and clumsily adds the existing bell to the corner of the site. While I welcome efforts to retain the character of the building I feel that this design falls considerably short of what would be needed to justify destruction of the current landmark building.

- The current design from the north elevation addresses previous issues with scale and style.
- The west elevation (Wilson Road) continues to be overbearing and out of scale with surrounding properties. While the gable end mirrors the current structure, the additional bulk of the proposed building dwarfs surrounding buildings and is further accentuated by the addition of balconies. It is requested that this additional element is removed or at the very least reduced in scale (reduction of a storey and reduction of depth) to transition more appropriately into the street scene.
- Replacement with a building which, while more sympathetic to the character of the surrounding area than the previous application 171086, still has major design faults,
- From a sustainability perspective, object to the demolition and replacement rather than re-purposing and re-using an existing building.
- The building would have been listed if not for the loss of the internal features.
- Built of red/brown brick with a steep, red-tiled gabled roof, with varied fenestration including two arrangements of windows which give the impression of 'Venetian'-style windows, also a low square tower with a cupola. The building fits into its context of late-Victorian and Edwardian neighbours and enhances the streetscape without unduly dominating the surrounding houses.
- There are not many buildings in this Arts and Crafts style in Reading, compared to our Georgian and Victorian legacy, and to lose such a significant example would be a disaster in heritage terms.

#### ***Affordable housing***

- While affordable housing proposed appears to comply nominally with RBC policy, it is unclear whether a RSL would be willing to partner with the Church in the development of the small number of affordable units proposed. This would in my view need to be justified by confirmation by a RSL. It may be that, for any otherwise acceptable scheme, a larger proportion of the overall residential units to be provided would need to be designated as affordable, for a RSL to be able to partner with the Church as developer.

#### ***Impact on residential amenity***

- Will residents have access to the garden space that leads off the nursery?
- Balcony proposals risk overlooking of neighbours.
- The rear of the proposed building continues to overlook private gardens of properties on Wantage and Wilson Roads. It is requested that oriel windows are added to maintain the current privacy of these spaces.
- The DAS states that the living rooms/balconies [northern elevation] have been designed with perforated metal balustrades which allow diffuse light to penetrate whilst obscuring views into living rooms. These would not get much light anyway and to have it diffused through a metal screen would make them even darker. Are they fit for purpose?

#### ***Community Use***

- I believe it will have a positive effect on the local community.
- There is an indication that the community spaces are a benefit to the local area. Why is the current hall not opened as a community space?
- There are no sleeping areas in the nursery. If this is a true nursery, it would need more than two toilets and a proper changing area.

### *Other*

- Loss of a church is racist against Catholics.
- This appears to be a much better use for the space. As a former resident of the Oxford Road I can see how such plans would be better for the community around it.
- More flats are not needed in this location.
- The plans show the existing church hall backing on to an outbuilding. This is in fact an occupied flat and will therefore be impacted by noise from car parking and use of the nursery outside space.

- 4.51 The applicant provided specific responses to some points raised by objectors as follows. They also provided a specific letter response to the Civic Society's objection letter (both letters are included in Appendix 1 below):

*"Whilst we had considered the impact on setting of the nearby listed buildings, we hadn't previously included this in the Heritage Statement and this wasn't raised by the heritage team for the last application. For completeness, we have added this to our Heritage Statement [see Heritage Statement revision B]*

*As far as I'm aware it is not a planning requirement to have confirmation of partnership from an RSL. The scheme complies with affordable housing policy and RBC housing team has confirmed as much.*

*We have comprehensively engaged with RBC on the matter of design and we submitted the application only once we had your [without prejudice] confirmation that the 'proposed scheme appears to respond positively to previous concerns and as an overall approach I consider it to be satisfactory'.*

*Regardless of ...opinion on appearance of the new design as a justification (or otherwise) of loss of the chapel, in the wider context of the NPPF and local policy, decisions should be in favour of sustainable development. The D&A and Heritage Statements set out the various and significant benefits offered by the development, which in addition to the contextually appropriate design which is of similar scale, form and materiality to the chapel, and makes historical reference to important chapel features (including retention of the bell tower) all help outweigh the loss of the non-designated heritage asset."*

## 5.0 RELEVANT PLANNING 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.

National Planning Policy Framework (NPPF)  
Planning Practice Guidance - Conserving and Enhancing the Historic Environment  
(Feb 2018)

Reading Borough Local Development Framework - Core Strategy (2008, altered 2015)  
CS1 (Sustainable Construction and Design)  
CS3 (Social Inclusion and Diversity)  
CS4 (Accessibility and Intensity of Development)  
CS7 (Design and the public realm)  
CS9 (Infrastructure, Services, Resources & Amenities)

CS14 (Provision of Housing)  
CS15 (Location, Accessibility, Density and Housing Mix)  
CS20 (Implementation of Reading's Transport Strategy)  
CS24 (Car/Cycle Parking)  
CS31 (Additional and Existing Community Facilities)  
CS33 (Protection and Enhancement of the Historic Environment)  
CS34 (Pollution and Water Resources)  
CS36 (Biodiversity and Geology)

Reading Borough Local Development Framework - Sites and Detailed Policies Document (2008, altered 2015)

Policy SD1 (Presumption in Favour of Sustainable Development)  
Policy DM1 (Adaption to Climate Change)  
Policy DM3 (Infrastructure)  
Policy DM4 (Safeguarding Amenity)  
Policy DM6 (Affordable Housing)  
Policy DM10 (Private and Communal Outdoor Space)  
Policy DM12 (Access, Traffic and Highway-Related Matters)  
Policy DM19 (Air Quality)

Supplementary Planning Guidance/Documents

Revised Parking Standards and Design (2011)  
Revised Sustainable Design and Construction (2011)  
Affordable Housing (2013)  
Planning Obligations under S106 (2015)  
Employment, Skills and Training (2013)

Other Documents

Berkshire (including South Bucks Strategic Housing Market Assessment) Berkshire Authorities and Thames Valley Local Enterprise Partnership, Final Report, February 2016, prepared by G. L. Hearn  
Technical Housing Standards - Nationally Described Space Standards (2015), DCLG  
Local Heritage Listing: Historic England Advice Note 7 (May 2016), Historic England

## 6.0 APPRAISAL

### Main considerations:

The main issues to be considered are:

- i) Principle of Uses
- ii) Design and Appearance
- iii) Loss of Undesignated Heritage Asset
- iv) Density and Mix of Housing
- v) Residential Amenity
- vi) Transport Issues
- vii) Environmental Matters
- viii) Sustainability
- ix) Section 106

### (i) Principle of Uses

6.1 The principle of the proposed community and residential uses for the site are considered acceptable.

6.2 The ground floor of the church is currently in use as a community facility and the proposed ground floor would be a new community facility of 370m<sup>2</sup> in gross internal floor area, the same floor area as existing. The Design and Access Statement states

that “ *The design of the community space has a flexible layout, with sliding folding partitions, enabling the size of spaces to be controlled to suit end user needs and to accommodate several small groups using the space concurrently or one larger group. In addition to the three hall spaces, an entrance foyer/cafe area provides a welcoming main entrance/hub and is served by a kitchen.*” The community use is therefore considered to meet policy requirements under policy CS31.

6.3 In terms of the proposed flats, the provision of housing would accord with policy CS14. It is a sustainable location well served by a choice of means of travel with much pedestrian and bus traffic along Oxford Road.

6.4 However, the proposal also needs to satisfy other policy considerations related to design, in the context of the loss of an undesignated heritage asset, traffic, mix, affordable housing, and infrastructure requirements, which are discussed below.

(ii) **Design and Appearance**

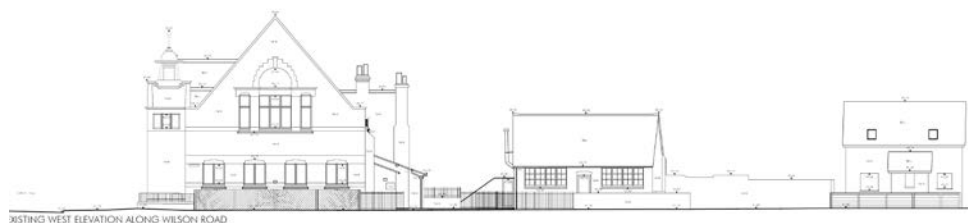
6.5 Since the previous refused scheme (171086) the applicant has worked with RBC officers to develop a more appropriately designed scheme, with draft options being presented to the Design Review Panel and being consulted on with the public prior to formal submission (as detailed in the Design and Access Statement section 1.04).

6.6 At the previous planning committee it was agreed that the loss of the historic building could be justified provided that the replacement building:

- is of a high quality design which responds positively to its context and enhances the character of the area
- is of appropriate height, mass and appearance
- avoids overlooking and loss of amenity/privacy to neighbouring properties

6.7 Notwithstanding the issue of whether the loss of the building is justified, which is addressed in section (iii) below, in policy terms (NPPF and CS7) any proposal needs to be of a high standard of design that maintains and enhances the character and appearance of the area within which it is located.

6.8 The existing building (elevation below) is considered to be prominent and distinctive with red brick construction, which is in keeping with other buildings in the surrounding area including Brock Barracks.



6.9 The existing building has a 2 storey ground floor space with eaves at 5 metres high in line with the top of the first floor windows of adjoining properties on Oxford

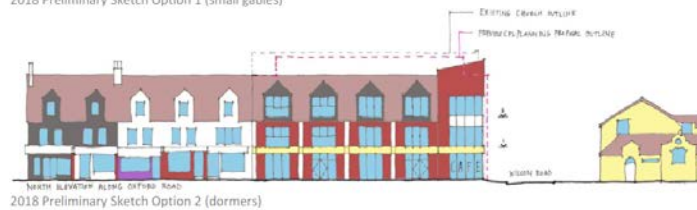


Road. The roof is steeply pitched with a maximum height of 11.8 metres, just over 2m higher than the adjacent terrace. The appearance of the building is dominated by its roofscape.

- 6.10 The existing building is in line with the adjacent terrace of shops, save for a small projection of the gable feature and bell tower and the low railings which wrap round the site along Oxford Road and Wilson Road.
- 6.11 The refused scheme (171086 - image below) was considered to be in stark contrast to the existing character and appearance of the surrounding area leading to reasons for refusal relating in broad terms to height and mass, as set out in section 3 above.



- 6.12 Although amendments were made to materials, amenity space, balconies, overall mass and landscaping, these were not sufficient to remove the fundamental concerns at the time.
- 6.13 The proposed scheme has resulted from iterations developed over the past months which have been reviewed by the Design Review Panel and officers. The applicant has presented in detail in the DAS how they consider the proposed scheme responds to matters raised through this process. The design development of the Oxford Road frontage is shown in the elevation images below (as set out in the DAS).



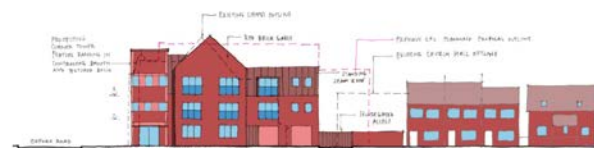
- 6.14 The proposed building has taken features which are evident in the existing building and interpreted these in a modern way, whilst retaining the traditional references in terms of the gables, tower, and the proposed materials.
- 6.15 The proposed building is at the same height as the existing terrace of shops/residential on Oxford Road, however officers advised the applicant that a prominent corner would be acceptable to give the proposed scheme dominance in the streetscene and to retain it as a landmark site. This is considered to have been achieved with the use of a taller angular tower, which steps out from the rest of the façade and creates a hierarchy of form.
- 6.16 Further to comments at the consultation event the existing cupola and bell tower are proposed to be incorporated within this tower, to retain this key element of the existing building. The Civic Society considers the tower too dominant and that the cupola and bell tower would be like a 'pimple'. Officer opinion however is that a smaller tower would not create a feature, as was intended, and its function would be very different to that of the existing building. The use of cupola and bell tower is intended as a reference to the existing rather than a replication of it, and the relationship between the two will be different.
- 6.17 The proposed floor levels and window positions on Oxford Road are considered to tie in effectively with the existing adjoining terraces of commercial/ residential uses, and the proposed smaller gable features along Oxford Road are also considered to be sympathetic to the existing pitched dormers of the existing adjoining buildings.
- 6.18 In terms of the Wilson Road elevation the refused scheme was considered to be too large and too high and was overbearing when viewed alongside the domestic, largely two storey dwellings, of Wilson Road. The design development of this elevation is shown below (as in the DAS).



2017 Planning application design – houses to the south (right) were un-built at time of application



2018 Preliminary Sketch Option 1 (small gables) – mass reduced, greater separation from houses on Wilson Rd



2018 Preliminary Sketch Option 3 – large gable, square tower, roof design relates to houses



2018 Planning Design (large gable as per chapel, square tower with retained bell, roof form steps down)

- 6.19 The proposed scheme is significantly smaller in depth/ proximity to existing buildings on Wilson Road and lower in height than the refused scheme. Although still 3 storeys along this elevation it is considered that the separation between this and the existing dwellings on Wilson Road of some 10m would be sufficient to not create an overbearing scheme. As a corner plot a larger scale of form compared to adjacent buildings is considered to be acceptable.
- 6.20 The form is also enhanced (compared to the refused scheme) through the shape and size of windows, materials and pitched/hipped roof form.
- 6.21 The materials proposed are clay facing brickwork with contrasting brickwork, using a mixture of brick bonds and projecting brick banding and header courses to create a range of depth and texture. These materials reflect the existing prominent ones in the area. A metal, standing seam roof has been selected to fit with the tone and colour of slate roofs, but provide flexibility for roof form.
- 6.22 An image of the proposed scheme is shown below.



- 6.23 There are limited opportunities for landscaping and public realm, however by using the building line of the existing properties on Oxford Road, but with a slight change of angle, as is the case with the existing building, small areas of public realm have been created through the use of planters to the front and rear of the site. The Natural Environment officer has confirmed that due to the site constraints that the use of planters is the only feasible option and is acceptable, subject to conditions.
- 6.24 It is considered that the proposed scheme does enhance the character and appearance of the area in accordance with policy CS7 and NPPF. The quality of materials will be important and a condition is recommended for the submission and approval of these prior to development as well as more detailed drawings of the elevations.
- (iii) **Loss of Non-Designated Heritage Asset**
- 6.25 The building is not nationally listed, and although English Heritage (as was) commented (2009) that *"the quality of the chapel's exterior and the local standing of its architect give it considerable significance in the Reading context"*, they also stated that *"while of local interest for its pleasing elevations, the external architectural quality is not sufficiently high to outweigh the loss of the interior"*.

- 6.26 Since the refusal of the previous scheme in February 2018 the application site has been locally listed and therefore is now a non-designated heritage asset; this took place during the application process. Local listing provides no additional planning controls, but its conservation as a non-designated heritage asset is an objective of the NPPF and a material planning consideration when determining the outcome of a planning application. It should be noted that at the time of assessing the previous scheme the existing building was already being considered as a locally important historic building and this has now been formalised into local listing.
- 6.27 The NPPF and policy CS33 gives a presumption in favour of their conservation and their loss requires appropriate and proportionate justification. Advice in the Historic England advice note (2016) states that *"In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."* In other words it needs to be assessed whether the loss of the non-designated heritage asset, taking into account its significance<sup>2</sup>, is outweighed by the planning benefits of the scheme.
- 6.28 Significance is defined in the NPPF glossary as *"the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."* The local listing for the application site, which uses the criterion in section 9.1 of the SDPD, identifies that the building dating from 1840-1913 is substantially complete and unaltered, and has historic and architectural interest (Local listing included at Appendix 3).
- 6.29 Para 184 of the NPPF states that heritage assets *"...should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations"* At present the church is contributing very little to the quality of life of residents, and although its loss would have a detrimental effect on the overall significance there are a number of positive benefits to the proposed scheme, which are considered to outweigh the loss. Although predating the local listing, the previous permission in 2013, which included demolition of the buildings, is a material consideration.
- 6.30 Officers made it clear during the course of the previous refused application that in order to justify the building's replacement, any new building would need to be of a high design quality that maintains a landmark/ feature while successfully integrating with the streetscene. The previous scheme was not considered to achieve this. Therefore, there was not a sufficient benefit to outweigh the harm resulting from the loss of the existing building and hence it was refused. However, it was accepted at the previous committee (Feb 2018) that the loss of the historic building could be justified provided that the replacement building:
- is of a high quality design which responds positively to its context and enhances the character of the area;
  - is of appropriate height, mass and appearance;
  - avoids overlooking and loss of amenity/privacy to neighbouring properties.
- 6.31 It is considered that the proposed building would be of a high design quality, as addressed above, and would have an appropriate mass and height, making a positive

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<sup>2</sup> The significance of a heritage asset is the sum of its archaeological, architectural, historic, and artistic interest

contribution to the local character and distinctiveness of the area and would have prominence in the local context, but without dominating neighbouring properties.

6.32 The proposed scheme would reflect the scale, proportion, form and materiality of the existing building, making historical reference to it including the retention of the cupola and bell tower, and re-using some of the stained glass for internal glazed screens. Through further discussion with the applicant they have also proposed re-using the date stone and giving consideration to re-using the existing stone course and stone window jamb, mullion and transom sections provided that the stonework is of adequate quantity/ quality for use in a meaningful, not piecemeal way. The wider setting would not be detrimentally affected and the proposed materials would be sympathetic to the existing.

6.33 Para 185 of the NPPF *"refers to the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation."* Paragraph 14 of the National Planning Practice Guidance Chapter on 'Conserving and Enhancing the Historic Environment', states that *"disrepair and damage and their impact on viability can be a material consideration in deciding an application"*. Paragraph 15 states *"If there is a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset"* In this instance, however, the applicants have advised that there is no viable option to enable the building to be re-used in a sustainable way. This is a material consideration in the overall planning balance.

6.34 From a viability perspective:

- To refurbish the existing buildings for community use only, which would require bringing it up to current building regulation requirements, would be cost prohibitive. Even if there were new residential development at first floor, as a means to subsidise the development, these units would reduce the amount of community space at the ground floor, in order to accommodate stairs and a lift. In addition they would be less energy efficient than new build and would require significant alterations to the building fabric to achieve adequate daylight and ventilation.
- To create a more substantial scheme, comparable to the application proposal, would require enabling development in the form of major extensions and alterations, which would in themselves affect the significance of the building.

6.35 The current building does not offer an efficient use of this brownfield site as its current form and condition severely limits how the building can be used. The applicant has confirmed that it is currently used two evenings a week for church fellowship/ prayer meetings and they have provided further details of the specific safety concerns/ issue with the building, which prohibits its use for the range of community uses and nursery that the proposed scheme is offering. These are summarised as follows:

#### *Safety*

1. The plasterwork is deteriorating due to damp, and has been falling off the walls.
2. A few years ago the front porch roof caved in. This has been rectified but it is understood that an underlying structural issue causes risk of this happening again.
3. Falling roof tiles from the main roof have caused the modern suspended ceiling tiles to collapse/fall. The church has continued to repair roof tiles however the

issue persists. Without a wholesale refurbishment of the entire roof, this will continue to happen and the cost of such works has been prohibitively expensive. The issues with the main roof cause regular water ingress. Despite roof maintenance, certain parts of the building suffer from water ingress whenever it rains.

#### *Quality of environment*

4. Despite regular investment and maintenance, the heating system is inadequate and regularly breaks down. Even when the heating system works, it is inefficient as the building does not retain heat due to the un-insulated nature of the solid masonry walls, floor and roof. The cost of replacement of the heating system would only be worthwhile if the building fabric were thermally upgraded, which is prohibitively expensive.
5. The relationship of the outdoor areas to the internal hall is not practical given stepped access and not practical as a play space due to lack of natural surveillance from inside the building.
6. The kitchen is not compliant with modern day environmental health standards and if upgraded would be too small for a number of the intended standards.
7. The quality of natural light is poor in certain spaces.
8. Ventilation and thus air quality is poor.

#### *Accessibility*

9. The building does not contain disabled toilet facilities. The space constraints of the existing structure prevent adaptation of the existing sanitary facilities to provide accessible toilet accommodation.
10. The building does not have level access throughout.
11. Existing doors (weights and clear widths) and clear widths of circulation spaces are not suitable for wheelchair users or those with limited mobility. They do not comply with modern standards and could not easily be adapted without costly structural alterations.

#### *Lack of flexibility of hall space*

12. The main chapel space is one large volume. This makes it impractical for smaller groups in terms of heating, privacy, lighting and acoustics, and the applicant has advised that it is not practical to subdivide the space due to limited fire exits and all ancillary accommodation being on one side of the building. Therefore it is not practical for the building to be used by multiple groups concurrently.

6.36 At the heart of the NPPF is the presumption in favour of sustainable development, supported at local level with the SDPD policy SD1. Achieving this is through securing net gains across key objectives. With regard to the social objective the proposed scheme would provide a number of new affordable homes to lifetime standards, many of which would be suitable for family accommodation. It would provide a flexible and enhanced community space, in accordance with Policy CS31, including a drop-in café, which would contribute to meeting the community's social well-being.

6.37 As part of this community space there would be a new nursery to be run by the applicant's social outreach arm: 'Love your Community'. The applicant also intends to offer the following community groups/uses. The applicant has advised that these are already run successfully by the church at another one of its sites:

1. Toddler group for mums/carers and toddlers
2. Afterschool clubs
3. Parenting Course
4. Marriage Course

5. CAP (Christians Against Poverty) Course - which is a course which teaches people budgeting skills and to help get in control of their finances and prevent debt
  6. The community spaces would be available to hire by a wide range of public groups/uses, such as children's parties, craft groups etc
  7. The church has a history of partnership with the borough council to provide services for community benefit. If planning approval is granted the church will actively pursue continued partnership to help the council with service provision in the Oxford Road area, using the new building.
- 6.38 The use of the site, incorporating residential development, would assist in making the site safer as there would be a greater level of natural surveillance of the external space, which according to a response to the public consultation currently has problems with anti-social behaviour.
- 6.39 The proposed scheme would contribute to the environmental objective through making effective use of land, increasing the range of uses and developing a more energy efficient building.
- 6.40 The applicant has been open about their changed requirements since the lapsed permission, with their Meadway site becoming the focus for church and community facilities. They have identified the need to develop a viable scheme at Oxford Road, to contribute to their wider community aims including at the Meadway, but also with the intention of enhancing the application site to give it an improved function and role in the local community. The applicant has worked with officers since the refused scheme to develop an acceptable scheme, which has addressed design, amenity, affordable housing, and transport concerns. It is considered that the benefits offered by the proposed scheme, in addition to the sensitive design, as described above, being material to the planning balance, are sufficient to outweigh the loss of the non-designated heritage asset.
- (iv) Density and Mix of Housing
- 6.41 Policy CS15 states that density and mix of residential development within the Borough includes being informed by an assessment of the characteristics of the area in which it is located and its current and future level of accessibility. It goes on to state that developments should provide an appropriate range of housing opportunities in terms of a mix of housing types, sizes and tenures, in accordance with the findings of a housing market assessment. The mix of dwellings should include an appropriate proportion of units designed to the Lifetime Homes standard.
- 6.42 The most recent SHMA states that the focus for new market housing provision will be on two and three bedroom properties. The application site is in a highly accessible location and there is a mix of units in the locality. The proposal has a density of 121 dwellings per ha, which is akin to town centre density. As a corner site, which can have some prominence, and in a district centre, and to make effective use of the site a higher density is considered acceptable. In this instance the proposal is predominantly for two bedroom flats (6 of the 10 proposed), providing the potential of family accommodation and to Lifetime Home standards. The proposed density is considered acceptable.
- (v) Residential Amenity
- 6.43 Despite amendments to the previous scheme (171086) during the application period there were still concerns over the penthouse terrace at third floor and balconies at second floor. The reasons for refusal therefore included amenity related reasons

because it was considered that these elements would have a detrimental effect on the privacy of neighbouring properties from overlooking.

- 6.44 The proposed scheme has no rear balconies and no terraces, and rear facing windows at First and Second Floors (Unit 1 & 6 - those closest to Wilson Road properties) are proposed as oriel windows.
- 6.45 With regard to rear facing windows for Units 5 and 10 these are at almost 19m away from the boundary with the rear garden of the recently built houses (under permission ref: 160180). These windows serve bedrooms or bathrooms, and not considered as habitable rooms and in any case are considered to be at a sufficient distance from neighbouring gardens to not lead to a significant detrimental effect on overlooking and loss of privacy.
- 6.46 There is one balcony proposed per unit and these are on the Oxford Road and Wilson Road Elevations only. Issues have been raised through consultation regarding their design and amenity, but these are not uncommon features of flats, and are considered to afford some amenity space to the units according with policy DM10. The proposed perforated metal balustrade, which allows light to penetrate, but obscures views, are considered to minimise the overall visibility into the units including from passing buses. However, the applicant has been asked to present further options, with regard to size and materials, which will be provided in an update report.
- 6.47 The proposed room sizes and overall flat dimensions would meet, and for some units exceed, the National Space Standards (DCLG).

**(vi) Transport Issues**

- 6.48 During the course of the previous application the Transport team liaised with the applicant to secure an amended layout and number of spaces to serve the proposed scheme and the Wilson Road site (171087).
- 6.49 Transport has confirmed, as detailed in the consultation section that, with regard to transport, the scheme is acceptable, subject to a number of conditions as included above. The proposed parking scheme at Oxford Road provides for:
- 7 dedicated spaces for the community hall/nursery; and
  - 4 residential spaces (to serve the three bed units)
- 6.50 This combined with 7 no. residential spaces at Wilson Road Site is considered acceptable and would satisfy the requirements of Policy CS24, and DM12.

**(vii) Environmental Matters**

- 6.51 With regard to air quality the submitted Air Quality Assessment identifies that the impacts due to emissions from local road traffic on the air quality for proposed residents are shown to be acceptable at the worst-case locations assessed, with concentrations being below the air quality objectives at all of the receptors. No mitigation is therefore proposed. This has been confirmed as acceptable by the Environmental Protection and Nuisance Officer.
- 6.52 In terms of noise, a detailed assessment was submitted, and the officer has confirmed that subject to suitable conditions the proposal would be acceptable in this regard.



- 6.53 To assess if the site is contaminated a phase 1 assessment has been submitted which concludes that a phase 2 assessment is necessary. Conditions are recommended to ensure that future occupants are not put at undue risk from contamination.
- 6.54 The proposed scheme is therefore considered to accord with policies CS34 and DM19.
- (viii) Sustainability**
- 6.55 Policy CS1 (Sustainable Construction and Design) and the Council's SPD 'Sustainable Design and Construction' sets out the policy position with regards to sustainability. It applies to proposals for new development, including the construction of new buildings and the redevelopment and refurbishment of existing building stock, depending on the extent of the alterations to a building.
- 6.56 The applicant has submitted a BREEAM pre-assessment report demonstrating that community provision could meet BREEAM score of 65.64% (Very Good), which accords with Policy CS1.
- 6.57 A number of sustainable construction strategies are proposed to be incorporated into the design and construction including minimum standards relating to energy and water use. The proposed approach would be a fabric first approach which ensures an energy efficient building that is not totally reliant on renewable energy to achieve a reduction in emission in accordance with requirements of policies CS1 and CS2. The Energy and Sustainability Statement identifies a reduction in emissions (when compared to a Building Regulations baseline) of 23%.
- (ix) Section 106**
- 6.58 The proposed affordable housing provision is three of the 10 units, which would be policy compliant with DM6, i.e. 30% of the units.
- 6.59 Affordable housing policy seeks that the affordable housing mix should reflect the overall mix of the scheme. The affordable units are proposed to be one x1 bed, one x2 bed and one x3 bed. RBC's Housing Strategy Team has confirmed that the proposed size of the affordable units would be consistent with the overall size of units across the scheme.
- 6.60 The previous scheme included for 100% of the units to be shared ownership and the applicant was advised that the units should include for some affordable rent. The proposed scheme includes for two of the three units to be affordable rent, which Housing Strategy has confirmed is acceptable.
- 6.61 It is recommended that the S106 include the cascade mechanism, which allows for a default affordable housing financial contribution should a registered provider not take up the proposed units within the scheme.
- 6.62 The applicant is expected to make contributions in line with the requirements of policy CS9, DM3 and the Employment, Skills and Training SPD. The applicant has confirmed a contribution towards Construction Skills of £2,295 in accordance with the calculation in the SPD.
- (x) Equality**
- 6.63 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, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation.

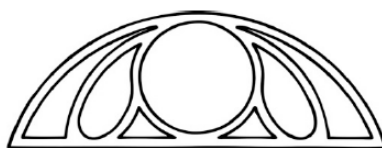
- 6.64 The proposals would allow improved access for disabled members of the community and would be lifetime homes compliant. It would also improve access for parents and children to nursery facilities. It would provide disabled parking spaces. Otherwise, there is no indication or evidence (including from consultation on the application) that the protected groups have or would have different needs, experiences, issues and priorities in relation to the particular planning application.
- 6.65 In terms of the key equalities protected characteristics, it is considered there would be no significant adverse impacts as a result of the development.

## **7.0 CONCLUSION**

- 7.1 The reasons for refusal of the previous scheme (171086) are considered to have been overcome. The scheme is considered to be a high quality design with positive benefits which outweigh the loss of the undesignated heritage asset. Subject to conditions and informatives, recommended above, it is considered to accord with relevant policies.

Case Officer: Alison Amoah

## APPENDIX 1: CIVIC SOCIETY CONSULTATION RESPONSE & AGENT'S RESPONSE



### READING CIVIC SOCIETY

as from: 69 Baker Street, Reading, RG1 7XY

28 October 2018

Ms A Amoah  
Planning Department  
Reading Borough Council  
Civic Centre  
Bridge Street  
READING  
RG1 2LU

Dear Ms Amoah

Re: **Planning Application 181555 – Grovelands Baptist Church, Oxford Road, RG30 1HJ**

We wish to object to this application on the following grounds:

- a) the loss of a good Arts and Crafts building, with historic significance to the area, which contributes a great deal to the streetscape of Oxford Road,
- b) the replacement of a local church and community space by a block of flats with a smaller community space,
- c) replacement with a building which, while more sympathetic to the character of the surrounding area than the previous application 171086, still has major design faults,
- d) sustainability – demolition and replacement rather than re-purposing and re-using an existing building.

#### **Loss of existing church building, a heritage asset**

English Heritage's assessment of this building (03.12.09) was very complimentary:

"The former Grovelands Chapel is a handsome and well-composed building, the work of a leading local architect who used the emerging vocabulary of Arts and Crafts and Free Classical motifs with assurance and flair. .... The squat tower, which even with its eccentric cupola is still considerably lower than the main roof-ridge, gives a firm emphasis to the corner site whilst suggesting an unpretentious homeliness appropriate to the informality of Baptist churchmanship."

"The quality of the chapel's exterior and the local standing of its architect give it considerable significance in the Reading context, *[my underlining]* but the interior is now much too altered to be of special interest at national level."

#### **In other words this building would have been listed if not for the loss of the internal features.**

Grovelands Baptist Church is built of red/brown brick with a steep, red-tiled gabled roof, with varied fenestration including two arrangements of windows which give the impression of 'Venetian'-style windows, also a low square tower with a cupola. The building fits into its context of late-Victorian and Edwardian neighbours and enhances the streetscape without unduly dominating the surrounding houses.

# READING CIVIC SOCIETY

2  
28 October 2018  
Ms A Amoah

The planning officer's recommendation for the refusal of a previous application to demolish and replace this building (111475, PAC Meeting 12.10.11) emphasises in Clauses 6.14 to 6.22 that **the chapel is an undesignated Heritage asset worthy of retention and that it has a landmark quality.**

The historic significance arises from the chapel (1899) being part of the early development of the western end of Oxford Road, emerging from a mission hall (1879) built by the brothers AW and MJ Sutton to serve Brock Barracks (1877). A daughter of E P Collier was married in the church and, thus, it has connections both to the Suttons Seeds family and to the local Colliers brickworks.

It is also worth mentioning that there are not many buildings in this Arts and Crafts style in Reading, compared to our Georgian and Victorian legacy, and to lose such a significant example would be a disaster in heritage terms.

## **Loss of community space**

A previously permitted lapsed application 121716 to demolish the existing church building proposed, as a replacement, a purpose-built new church, with ancillary community uses, amounting to 1115m<sup>2</sup> of community space and only a very small proportion of residential provision, 213m<sup>2</sup>, in addition. The *extended provision for community use* was seen at that time to outweigh the "harm done" resulting from the loss of the original heritage building.

The current application, 181555, no longer includes a new church on this site and significantly reduces the amount of community space to 350m<sup>2</sup>, with the rest of the development being a block of 10 flats.

Following the reasoning for the previous permitted decision, this proposed development would not outweigh the "harm done" resulting from the loss of the original church building.

## **Proposed replacement building and design considerations**

The proposed building, according to the images in the DAS, appears to be more in character with its neighbours than the previous refused design (171086) in that gables have been included on the front elevation and red brick has been used.

However, this corner site is very visible and the well-loved existing building is a landmark which sits comfortably in the streetscape with a lot of its merit lying in the well-designed proportionality of the building. This proposal would not attain the high quality of design required to replace it.

We would particularly note concerns with:

### **1) Bell-tower**

It is a good idea to echo this feature of the existing building *but* the proposed corner tower is much bigger than the existing one which stops well below the roofline, and the proposed tower is a much more solid and over-dominant presence at the corner of Oxford Road and Wilson Road (DAS Rev A August 2018). It is also a good idea to include the existing **cupola** to the bell-tower *but*, again, the size of the proposed corner tower is a problem as it diminishes the cupola which was in proportion to the existing bell-tower but, in the proposed drawings, looks like a pimple on top.

.../3

# READING CIVIC SOCIETY

3  
28 October 2018  
Ms A Amoah

## 2) Balconies

There are several reasons why balconies are wrong in this context:

- a) they do not fit with the existing buildings in this part of Oxford Road, I can't think of any others in the vicinity;
- b) on the front elevation they are forward of the existing building line – a better solution if there are to be balconies would be for them to be inset rather than sticking out like open drawers;
- c) the top deck of the double-decker buses, which stop at the bus stop immediately in front of this building, would be on a level with the balconies on the first floor – not a very good prospect for the inhabitants;
- d) the front elevation is north facing, the cooler, darker side of the building, so not ideal for a balcony – might get away with them on the Wilson Road side for evening sun;
- e) noise and pollution from traffic and other sources on the busy Oxford Road would not encourage anyone to use these balconies as a place to sit.

On page 10 of the DAS, the applicants address privacy for the future residents of the proposed building and state that with reference to concerns raised at the public consultation event regarding privacy from passing buses, the living rooms/balconies have been designed with perforated metal balustrades which allow diffuse light to penetrate whilst obscuring views into living rooms. We would note that these rooms on the Oxford Road north elevation would not get much light anyway and to have it diffused through a metal screen would make them even darker. Are they fit for purpose?

## Sustainability

It is a generally accepted principle that it is more beneficial to retain, refurbish and re-purpose buildings rather than demolish them and replace them with new buildings.

Bearing the above point in mind, we are still of the opinion that the existing building should not be demolished but should be refurbished and re-used.

Yours sincerely

A black rectangular redaction box covering the signature of Richard Bennett.

Richard Bennett  
Chairman



## CIP|L Chartered Architects

9 November 2018

Mr Richard Bennett  
Reading Civic Society  
69 Baker Street  
Reading  
RG1 7XY

**Re: Proposed Redevelopment at Grovelands Chapel, 553 Oxford Road, planning application reference: 181555**

Dear Mr Bennett,

I refer to your letter dated 28 October 2018 on behalf of Reading Civic Society regarding the above planning application.

Firstly, thank you for attending the public consultation event on 18 July '18 at Grovelands Chapel. The purpose of the event was to engage with local neighbours, councillors and interest groups, such as Reading Civic Society. Our discussions with you on the day were very constructive and we were pleased to record your comments which were subsequently used to help finalise the planning design. You kindly completed a feedback form setting out your comments and a copy is appended to this letter for ease of reference.

We therefore refer to your comments from the public consultation event as well as the points raised in your letter of 28<sup>th</sup> October.

**1. Reading Civic Society Comments from Public Consultation Event dated 18 July 2018**

1.1 *'Materials and scale are now more in keeping with the streetscape of Oxford Road and the area generally. Significant Improvement over previous design'*

We have finalised the design on the basis of your favoured design approach and we are pleased this meets with your approval.

1.2 *'We like the square tower – echo existing building and possibility of keeping the bell tower.'*

The planning application design includes the square tower and the refurbished and re-used bell tower as suggested and we are pleased this meets with your approval.

1.3. *'Re the gables we have a preference for Option 3 in full rather than the mix of Option 2 (Ox. Rd) and 3. It echoes the original whilst avoiding pastiche.'*

The planning application design has been finalised on the basis of your favoured design approach.

1.4 *'Demonstrate in the planning application why the building has to be demolished'*

1



C|P|L

Chartered Architects, Property Consultants & Designers

First Floor Unit A3, Chaucer Business Park, Dilttons Road, Polegate, East Sussex, BN26 6QH  
T: 01323 416900 E: admin@cplarchitects.co.uk www.cplarchitects.co.uk

## C|P|L Chartered Architects

Justification for demolition has been clearly set out in the submitted Heritage Statement, Design and Access and Planning Statements as requested. I have summarised the justification for demolition in my Conclusion below.

### 1.5 'Large windows at first floor level on Oxford Road – view in from top floor of buses'

Perforated metal balustrades (in lieu of glass previously proposed) were added to the design to meet this point. Regardless, the matter raised is common for many residential properties in urban areas and future residents have means to control privacy, i.e. blinds. The scheme does not differ from existing housing in the vicinity in this regard.

### 1.6 'Think about doing something clever with the stained glass'

We have given this some careful thought, however, though the existing stain glass window does not offer the thermal or acoustic performance required to meet the planning policy requirements for sustainability and avoidance of noise disturbance we would accept a planning condition stipulating the reuse of the stain glass window internally.

## **2. Reading Civic Society Comments of Letter dated 28 October 2018**

You have now objected on the following grounds:

### 2.1 'the loss of a good Arts and Crafts building, with historic significance to the area, which contributes a great deal to the streetscape of Oxford Road'

Please refer to the submitted Heritage, Planning and Design and Access Statements which demonstrate why the loss of the building is justified.

### 2.2 'the replacement of a local church and community space by a block of flats with a smaller community space'

- The amount of new community space is equal to the amount of existing community space.
- The quality of the new community space will be far superior to the existing space in terms of accessibility, flexibility, natural light and energy efficiency.
- The flats provide much needed residential accommodation to help meet Reading's housing needs.
- The residential accommodation is required to cross-subsidise the community element. The provision of the community space is not financially viable without the residential development. (You will appreciate that the applicant is a charity)
- The proposals will provide valuable family dwellings and affordable housing.
- The church no longer uses Grovelands Chapel as a place of worship. It holds its Sunday services at 384 The Meadway; hence the previous planning approval featuring a larger amount of community space is no longer appropriate or financially viable. The Meadway site is to be redeveloped and this redevelopment will provide an overall nett gain in community space in West Reading. The redevelopment at the Meadway is not financially viable without planning approval for the proposed scheme at Grovelands Chapel.

2



## CIPIL Chartered Architects

### 2.3 'replacement with a building which, while more sympathetic to the character of the surrounding area than the previous application 171086, still has major design faults'

We understand that by 'design faults' you refer to the appearance of the bell tower and balconies upon which you have previously commented favourably in the consultation exercise. Views on the architectural design and appearance of new proposals tend to be somewhat subjective in nature and comment has been obtained from Reading Borough Council's Design Review Panel which is comprised of a team of Architects to provide peer review of design quality and aesthetic matters. The designs have been presented several times to the design review panel, the planning officer and at the public consultation event and the current design takes on board comments resulting from the extensive engagement carried out. However:

- The prominence of the cupola is a technical detail. It can be made more visible by raising the roof level of the tower without adjusting the height of the tower parapet. We agree this would be beneficial and have updated the design to suit.
- Balconies provide the benefit of outdoor amenity, which is still a benefit even for north facing aspect.
- Balconies are an accepted feature of most modern residential designs and are considered appropriate even in areas far more urban than Oxford Road.
- There are several examples of flat blocks along Oxford Road and nearby that feature balconies, including facing Oxford Road. (Examples are appended to this letter for ease of reference.)
- You suggest 'a better solution if there are to be balconies would be for them to be inset' yet you also raise concern over natural light. Inset balconies would reduce daylight levels.
- Outdoor amenity space for modern housing is strongly encouraged in planning policy and is generally considered to be good practice.

### 2.4 'Sustainability: It is a generally accepted principle that it is more beneficial to retain, refurbish and re-purpose buildings rather than demolish them and replace them with new buildings.'

Retention of the existing building is unfortunately not feasible for the reasons outlined in the application. A new building will also be more energy efficient, a point reiterated by the specialist sustainability consultants employed by the church. Sustainability is also fundamentally linked to efficient use of prime brownfield urban sites with good transport links. New build provides a far more efficient means of developing the site sustainably and creating a good level of residential density.

### **3. Conclusion**

It is acknowledged that the chapel has some architectural merit externally. This is noted in the assessment by English Heritage appended to the Heritage Statement. CPL Chartered Architects has a national reputation for ecclesiastical architectural projects and we have spent 25 years conserving and enhancing Listed church buildings and heritage assets. However, heritage considerations must be balanced with other planning considerations, a point emphasised clearly on page 5 of the revised National Planning Policy Framework (NPPF) which cites economic and social objectives alongside environmental objectives. Furthermore, the prevailing undercurrent of the National Planning Policy Framework (NPPF) is that of sustainable development. The NPPF states that;

3





## CIPIL Chartered Architects

*'Plans and decisions should apply a presumption in favour of sustainable development.'* (NPPF paragraph 11)

The key facts relating to this planning application may be summarised as follows:

1. Grovelands Chapel is in a poor state of repair and suffers from several significant building fabric issues. The Church has been unable to offer the building for community use (besides church use) for several years due to its poor state and cost of repairs.
2. The cost to refurbish the building has been investigated, is prohibitively expensive and would not result in the flexible, light and environmentally sustainable spaces that will be offered by the proposed new community space.
3. The applicant has consulted widely on the proposals and prepared a revised design to take into account the responses received, including those of the Reading Civic Society.
4. In order to provide the new community space at Oxford Road, ten on site residential units are required to cross subsidise the community element and to avoid the building falling into a further state of disrepair.
5. The proposals retain an equal amount of community space, but of higher community benefit, compared to the existing building. The new community space will be light, airy, accessible, flexible and energy efficient.
6. The proposals provide new much needed family housing and affordable housing.
7. The proposals provide a new nursery and cafe space for the local community.
8. The proposals mitigate issues on site relating to antisocial behaviour and vandalism.
9. The proposals help fund valuable new community facilities at the Church's other site at The Meadway thus resulting in a significant nett gain of community space in West Reading.
10. The design of the new building responds positively to its context, makes reference to the key architectural features of the existing chapel and has been judged by Reading Borough Council in pre-application correspondence to be of an acceptable appearance, scale, mass, layout and design quality.

It is therefore concluded that the benefits of the proposed redevelopment and the quality of the design outweigh the loss of the heritage asset.

Yours sincerely,



Daniel Almond  
**BArch (Hons), MArch, PGDip (MPL Arch), ARB**

cc Cllr Tony Page  
Ms Alison Amoah  
Mrs Maureen Atkins (The Gate)



CIPIL

Chartered Architects, Property Consultants & Designers

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## CIPIL Chartered Architects

**Examples of nearby residential buildings with balconies facing the main road and large living room windows on bus routes** (copyright google)



Oxford Road flats 500m west of Grovelands Chapel featuring large first floor windows and Juliet balconies facing Oxford Road



Oxford Road flats 850m west of Grovelands Chapel featuring balconies on Oxford Road



Curzon Street/Battle Square residential development 200m east of Grovelands Chapel featuring large balconies and windows facing the main road



**PUBLIC CONSULTATION EVENT - FEEDBACK FORM**

REDEVELOPMENT OF GROVELANDS CHAPEL, OXFORD RD, READING. July 2018

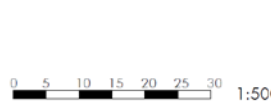
Think about doing something clever with the stained glass

<b>1.</b>	<b>Do you have any comments on the proposals?</b>  Please write any comments here 1. Materials + scale are now more in keeping with street scape of Oxford Rd + the area generally. Significant improvement over previous design. 2. Parking problems in Wilso Rd appear to have been resolved with RBC.	YES/NO
<b>2.</b>	<b>Are there any aspects of the design you think should be addressed?</b>  Please write any comments here • We like the square tower - echo existing building + possibility of keeping the bell tower • Re the gables, we have a preference for option 3 in full rather than the mix of option 2 (Ox. Rd) + 3 - it echoes the original whilst avoiding pastiche.	YES/NO
<b>3.</b>	<b>Do you think any issues may arise from the proposals?</b>  Please write any comments here 1) Demos needs in the planning application why the building has to be demolished. 2) Large windows at first floor level? on Oxford Road - view in from top floor of bus.	YES/NO
<b>4.</b>	<b>Contact Details (optional)</b>  Name & Address: Richard + Alisa Bennell Reading Core Society  Telephone/Email: [REDACTED]	

**THANK YOU FOR COMING ALONG TODAY**

# APPENDIX 2: PLANS AND ELEVATIONS

Oxford Road - 171086



30/07/19 REV 8 Updated design / new planning application  
 27/11/17 REV A Updated following LA comments

date	project name	project number	drawing number
JUN 17	553 OXFORD ROAD READING MIXED USED DEVELOPMENT	RCC.17	/101B
scale	drawing title		
1:500	SITE BLOCK PLAN		
author			
DA			



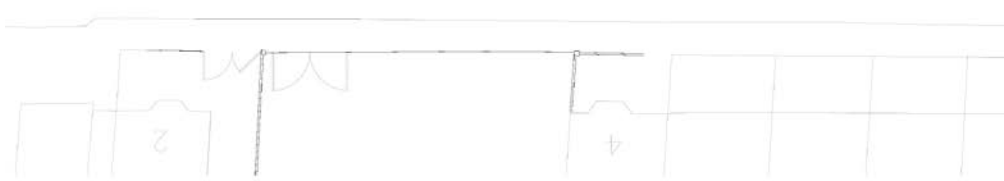
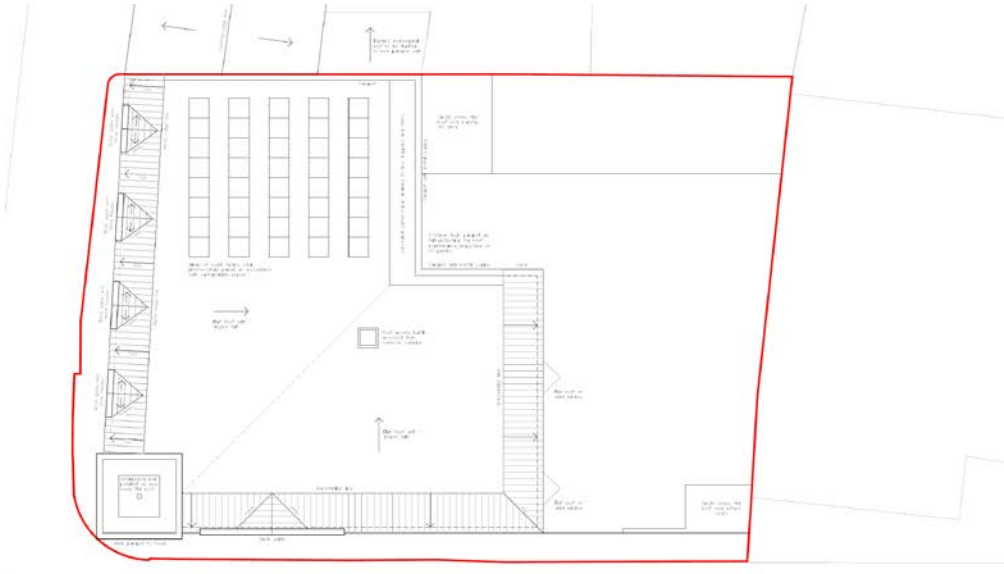
CPI  
 Chartered Architects, Planning Consultants and Designers  
 10000 South Avenue, Green Park, Reading RG2 0JN  
 Tel: 0118 987 0000 Fax: 0118 987 0001 Email: info@cpi.co.uk

COMMUNITY & RESIDENTIAL  
 DEVELOPMENT  
 553 OXFORD ROAD  
 READING

GROUND FLOOR PLAN  
 AS PROPOSED

date	scale
JUNE 2017	1:100
author	checked
DA	PW
project number	drawing number
RCC.17	/150





**cpl**  
Chambers Architects, Property Consultants and Designers  
Unit 11, Haver Street, 553 Oxford Road, Reading, RG1 2DA

**COMMUNITY & RESIDENTIAL DEVELOPMENT**  
553 OXFORD ROAD  
READING

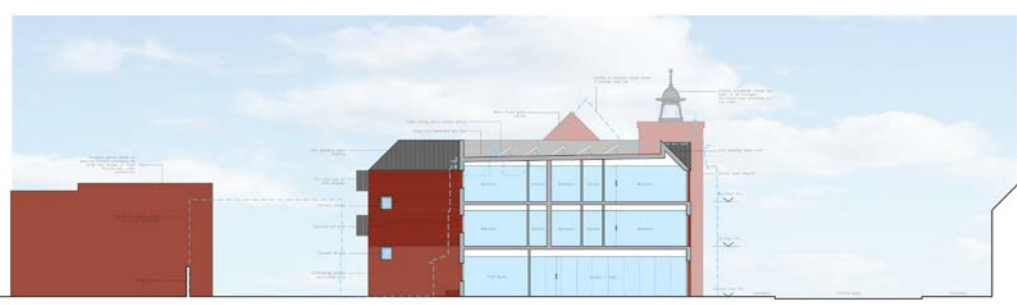
**ROOF PLAN**  
AS PROPOSED

DATE	NO.	BY	SCALE
JUNE 2017	1	DA	1:100
DATE	NO.	BY	SCALE
		PW	

RCC.17 /154 B



PROPOSED SOUTH ELEVATION



PROPOSED SECTIONAL EAST ELEVATION

DATE	NO.	BY	SCALE
JUNE 2017	1	DA	1:100
DATE	NO.	BY	SCALE
		PW	1:50

**cpl**  
Chambers Architects, Property Consultants and Designers  
Unit 11, Haver Street, 553 Oxford Road, Reading, RG1 2DA

**COMMUNITY & RESIDENTIAL DEVELOPMENT**  
553 OXFORD ROAD  
READING

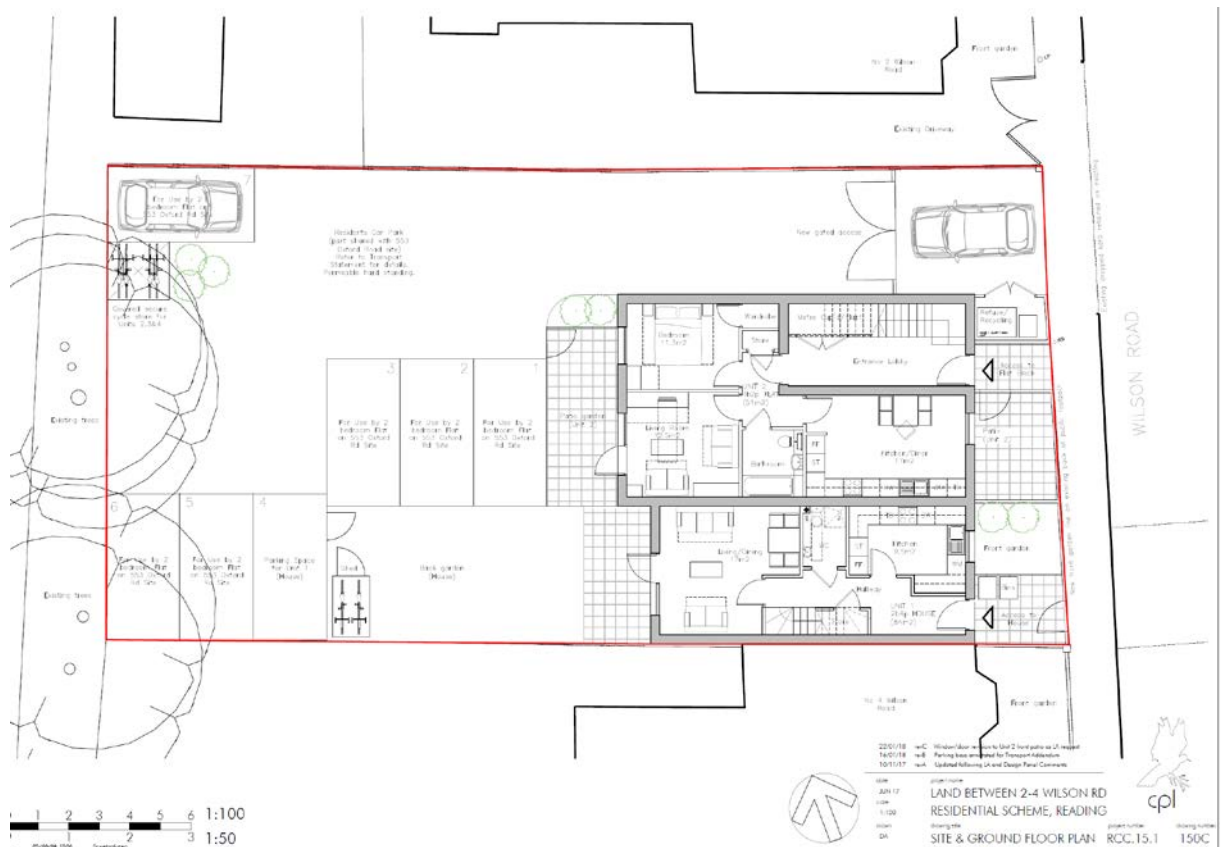
**PROPOSED ELEVATIONS**  
SOUTH AND EAST

DATE	NO.	BY	SCALE
JUNE 2017	1	DA	1:100
DATE	NO.	BY	SCALE
		PW	

RCC.17 /161 C



### Wilson Road - 171087 - PARKING LAYOUT



## APPENDIX 3: LOCAL LISTING LETTER (sent via email)



The Baptist Union Corporation Ltd  
PO Box 44  
129 Broadway  
Didcot  
Oxfordshire  
OX11 8RT

Your contact is: Alison Amoah, Planning

Dear Ms Sanderson,

### **NOTIFICATION THAT GROVELANDS CHURCH AT 553 OXFORD ROAD, READING, RG30 1HJ HAS BEEN ADDED TO THE LIST OF LOCALLY IMPORTANT BUILDINGS AND STRUCTURES OF LOCAL HERITAGE SIGNIFICANCE**

I write to formally notify you, as the owner of the building, that Grovelands Church has been added to Reading Borough's List of Locally Important Buildings and Structures in recognition of its local heritage significance. This follows a request from the Reading Civic Society.

This building meets the adopted criteria for adding buildings or structures to the list of buildings or structures with local heritage significance as set out in the Council's Sites and Detailed Policies Document 2012 (altered 2015).

In summary Grovelands Chapel:

- Has a well authenticated historical association with a notable person (s) or event.
- Has played an influential role in the development of an area or the life of one of Reading's communities.
- Has a noteworthy quality of workmanship and materials
- Is the work of a notable local/national architect/engineer/builder.
- Shows innovation in materials, technique, architectural style or engineering.
- Has prominence and landmark quality that is fundamental to the sense of place of the locality.

#### **Reasoning**

#### **Historic Interest**

##### ***Historical Association***

The Architect, William Roland Howell, was a prominent figure in borough and county life, serving on Reading Council from 1911 to 1930 (including a stint as

Giorgio Framalitto  
Head of Planning, Development  
& Regulatory Services

Civic Offices, Reading, RG1 2LU

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23rd November 2018



Mayor between 1921 and 1922), as Chairman of the Berkshire Society of Architects from 1922, and as Superintendent of Works for Berkshire from 1924.

The founders of the 1879 mission hall were Arthur Warwick (1854 -1925) and Martin John Sutton (Arthur Warwick), partners in Reading firm Suttons Seeds. William Lansbury and John Lawson Forfeitt were both Suttons employees who became Baptist missionaries in the Congo. In 1893 W L Forfeitt married Anne Maria Collier, daughter of Samuel J Collier.

Collier's brickworks moved to Grovelands from Coley in 1870. It is more than possible that the bricks for Grovelands chapel came from Collier's Grovelands brickworks.

The builders were Collier & Catley.

### ***Social Importance***

The development of the western end of Reading's Oxford Road began in 1877 with the construction of the Brock Barracks, one of a large number of new military 'depots' established under the provisions of the Registration of the Forces Act of 1871, which aimed to encourage infantry recruitment by allowing soldiers to serve in their own county regiment rather than being drafted further afield. There was at that time no church in the area, and in 1879 two Anglican laymen, the brothers Arthur Warwick and Martin John Sutton, founded a mission hall in Grovelands Road East (now Wilson Road) as a place of worship and virtuous recreation for the soldiers. A few years later this operation was taken over by Reading's long-established Baptist community.

Over the next two decades the area between the barracks and the town centre was developed for housing, mainly modest working-class terraces in a grid of small streets on either side of Oxford Road. By the end of the century the original corrugated-iron mission hall become hopelessly inadequate for the district's vastly expanded population, and funds were raised by Reading's five Baptist congregations, as well as among the other Christian denominations, for a permanent building. In 1896 a plot of land was acquired across the street from the old site, and designs obtained from the architect WR Howell, a partner in the Reading-based firm of Cooper and Howell, for a new chapel to seat 450 worshippers. In March 1899 AW Sutton laid the foundation stone, and the chapel opened in October of the same year, having cost around £2,700 to build. Its fittings included an open tiled baptistery, a central feature of Baptist worship.

A three day bazaar was held at the Town Hall from Tuesday 24 October 1899 onwards, to raise money to reduce the debt on the chapel.

The building, now known as the Reading Community Church (now The Gate), has remained in religious use ever since.

### **Architectural Interest**

#### ***Innovation and Virtuosity***

The site comprises two buildings: the main chapel of 1899 at the corner of Oxford Road and Wilson Road, and a smaller hall to the south, probably built as a Sunday school. The building itself is of red brown brick with terracotta dressings in an Arts and Crafts-influenced Free Renaissance style, and tiled roofs.

A steep gabled roof of red tile covers the main worship space. The east gable end adjoins a neighbouring house, while on the exposed west gable, above a range of four small two-light windows, is a 'Venetian window' motif composed of a three-light mullion-and-transom window flanked by single transomed lights and surmounted by a blind semi-circular tympanum with a moulded keystone.

A projecting transept-like wing on the north front displays a similar motif, this time comprising three cross-windows beneath an egg-and-dart cornice, above which is a semi-circular window resembling a fanlight. Also on this elevation is the round-arched entrance porch, with battered upper walls and a swept parapet, within which a datestone records the foundation of the new church in 1899. To the right of this is a low square tower, its upper stage similar to that of the porch but topped by a lead-covered timber cupola.

The smaller hall, to the rear of the main building, is a simple rectangular building, built like the church of red brick with a steep tiled roof, with two segment-headed doorways and four-light timber casement windows with glazing bars. The single-cell interior, now stripped down and modern, contains no features of note.

*The high quality exterior of the former chapel is a stark contrast to the interior, where almost all original features have been removed by the church. In consequence the building was not accepted by Historic England (English Heritage as was) as being of national importance, but of "local interest for its pleasing architectural quality" and "the quality of the chapel's exterior and the local standing of its architect give it considerable significance in the Reading context". An extract of their assessment from 2009 is as follows:*

*"The former Grovelands Chapel is a handsome and well-composed building, the work of a leading local architect who used the emerging vocabulary of Arts and Crafts and Free Classical motifs with assurance and flair. Repeated motifs, such as the variants on the 'Venetian window' device in the north and west gables, or the battered pilasters and swept parapets that crown the north porch and tower, tie the design together and bring unity to its disparate elements. The squat tower, which even with its eccentric cupola is still considerably lower than the main roof-ridge, gives a firm emphasis to the corner site whilst suggesting an unpretentious homeliness appropriate to the informality of Baptist churchmanship.*

*The quality of the exterior is in stark contrast to the denuded state of the interior. Virtually all the original fittings - which would typically have included fixed pews, a communion table and a large central pulpit - have been removed, and the tiled baptistery mentioned in contemporary accounts has been either floored over or filled in completely. The arrangement of windows at the west end suggests that there may have been a gallery here; if so, this too has been removed, perhaps at the same time that the open roof was filled in with the present suspended ceiling, which transforms the proportions of the space and conceals the large gable windows. Aside from the latter and the internal lobby doors, the original stained glass has all been removed.*

*The simple, hall-like interiors of Nonconformist churches tend, much more than their Anglican equivalents, to rely for their interest on the completeness of their fixtures and fittings. Here, that interest has been almost completely lost. The quality of the chapel's exterior and the local standing of its architect give it*

*considerable significance in the Reading context, but the interior is now much too altered to be of special interest at national level."*

The architect William Roland Howell (1867-1940) was born in Reading and lived and worked there for most of his life. By 1882 he was articled with the Reading practice of Cooper, Son and Millar; he received extra artistic training at the Reading School of Art (1882-1887). After becoming ARIBA in 1890 he went into partnership with the son of his former employer - John Omer Cooper, a prominent local Baptist. Between 1891-1905 Cooper and Howell became well known as one of the leading firms of architects in the district. He bought out his partner and setting up in independent practice in 1905. Its successor practice continued to trade as Howell Freeman and Batten until the 1980s.

He was responsible for a number of buildings in Reading, from his monumental Gothic Art Gallery and Library extension to the Town Hall (facing Valpy Street) 1897 and other municipal buildings of 1894-7 through to a faience-clad Art Nouveau shop-front of 1905 at 8 High Street (both listed at Grade II) which was Jacksons's former Boot Shop and is now used by Oxfam. He also designed numerous schools, factories, banks, hospital buildings, public houses and private houses in and around the town. William Roland Howell was a prominent figure in borough and county life, serving on Reading Council.

The building is in an Arts and Crafts Style, a period running from c 1880-1910. Other similarly influenced buildings in Reading, such as Caversham Library, are more flowing in style whereas Grovelands has an almost early Glasgow School feel to it. Reading Civic Society considers, to the best of their knowledge, that the building is unique in Reading. It is noted also that the windows do not have painted frames, the brick appears to come right to the glass, which seems an appropriately economic design.

#### *Townscape Value*

The building is a very prominent structure on Oxford Road and has considerable presence. The views from the West are particularly striking. The terracotta building with its marked bell tower, with the cupola, make a very distinctive and distinguished mark in this part of Reading surrounded as it is by modest terraced properties.

#### Conclusion/ Notes:

Based on evidence currently available, there is definite architectural significance with the church dating from 1840 - 1913 and being substantially complete and unaltered, excluding the interior. This significance is focussed on the exterior of the buildings.

The buildings are the work of a notable local architect showing virtuosity and innovation in the design technique and architectural style, noteworthy quality of workmanship, and materials. The main building has townscape value as a Landmark building.

The site has historical importance (significance) because of its historic associations with the important local architect, William Roland Howell as well as with Arthur Warwick and Martin John Sutton of Suttons Seeds.

The social importance (significance) has more to do with the site as a whole as the building has been influential in the life of one of Reading's communities as a place of worship and played a key social role.

Future development proposals should conserve the non-designated heritage asset in a manner appropriate to its significance (NPPF para 184).

Please find attached a general information sheet regarding the local listing of a building or structure. There is a period of six weeks beginning with the date of this letter during which you may notify the local planning authority of any reason why you believe the building should not have been locally listed.

Comments can be made in writing to me at the email or postal addresses above. Any comments received will be considered and you will be notified of any revision to the decision to locally list the building.

Yours sincerely,

Alison Amoah  
Principal Planning Officer

Building/ structure identification:  
Grid reference: E 469442 N 173700  
Buildings within red line on plan below

Cc: Steve Hicks, RBC Valuation Section  
Giorgio Framalico, RBC Head of Planning Development and Regulatory Services  
Evelyn Williams, Reading Conservation Advisory Committee  
Richard Bennet, Reading Civic Society  
Norcot Ward Councillors, Reading

## UPDATE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 5<sup>th</sup> December 2018

ITEM NO. 10

**Ward:** Norcot

**App No.:** 181555/FUL

**Address:** Grovelands Baptist Church, 553 Oxford Road, Reading

**Proposal:** 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.

**Applicant:** The Trustees of the Gate

**Date application valid:** 1<sup>st</sup> September 2018

**Major Application 13 week target:** 1<sup>st</sup> December 2018

**Extended deadline:** 21<sup>st</sup> December 2018

**Planning Guarantee 26 week target:** 2<sup>nd</sup> March 2019

## RECOMMENDATION

As on main report.

### 1.0 ADDITIONAL/UPDATED INFORMATION

1.19 Following the main report, and in light of objectors concerns, there has been further discussion between officers and the applicant regarding the balcony sizes and materials proposed. Some alternate options have been presented as below along with further images of perforated metal balconies. Having reviewed this information officers are still of the view that the original metal material would provide a more sympathetic and interesting appearance, and further details would need to be provided and approved under the recommended materials condition.



Balconies with glass



Balconies with glass and brick



Example of perforated balcony in different colours. Design can be bespoke.

1.20 With respect to the size of balconies these are considered to be the minimum to provide functional space, which would also allow sufficient space for wheelchair access. In their role to provide some amenity space the size is therefore considered to be acceptable.

## COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 6<sup>th</sup> February 2019

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.

### Recommendation:

As in the main report from 9<sup>th</sup> January committee report (Appendix 1) and update report (Appendix 2), barring:

- the date for the legal agreement to be completed by now being **20<sup>th</sup> February 2019**

(a further extension of time has been agreed with the applicant since the scheme was deferred from consideration at the 9<sup>th</sup> January 2019 Planning Applications Committee meeting)

### 1. Deferral at 9<sup>th</sup> January PAC meeting

1.1 The proposal was deferred from consideration at the 9<sup>th</sup> January Planning Applications Committee (PAC) meeting owing to a procedural issue. More specifically, it became clear that the applicant had not served requisite notice on all landowners within the red-line of the application site. The agent on behalf of the applicant subsequently confirmed on 10<sup>th</sup> January that notice was served on 9<sup>th</sup> January. Accordingly, the application can now be considered at the 6<sup>th</sup> February 2019 PAC meeting, with the original main report detailed below in full as Appendix 1 and the update report as Appendix 2.

### 2. Further public consultation responses

2.1 Subsequent to the original main report (Section 4x at Appendix 1 below) and the update report (Section 1 at Appendix 2 below), two further objections have been received from Eldon Road addresses. These have been received from respondents who objected previously (as reported in the update report) and the further responses are largely similar to previous submissions. As such, please refer to the previous update report for a summary of the issues raised in the first instance. The only new matters raised are detailed below:

- "The design looks totally NOT IN KEEPING with the look and feel of the road. It would be hard to conceive how it could be any worse. An offensive lump of a design - I would like to understand exactly how this has been recommended for approval. Specifically, the nature of the relationship between the council and the developer and whether any conflicts of interest have been logged which may have unfairly impacted the decision. Additionally, I would like to understand what anti-bribery and corruption processes the council have in place and how they have been applied

to this process. Please do not proceed with this awful design and please undertake a FULL REVIEW as to how something like this has been able to get to proceed to this part of the process. I suspect some major failings in either application of the councils own standards and/or a highly questionable judgement call on allowing something so awful be recommended for approval".

- 2.2 Officer response: Please refer to the main report as to the reasons for the officer recommendation. In short, the application is considered to be acceptable within the context of national and local planning policies, as detailed in the appraisal section of the main report. The application is being considered by the Planning Applications Committee, with elected members ultimately determining the application on this occasion.

Case officer: Jonathan Markwell

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## APPENDIX 1 - MAIN REPORT FOR 9<sup>TH</sup> JANUARY 2019 PLANNING APPLICATIONS COMMITTEE MEETING

### COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES READING BOROUGH COUNCIL PLANNING APPLICATIONS COMMITTEE: 9 <sup>th</sup> January 2019	ITEM NO.
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**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 11<sup>th</sup> 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, 2<sup>nd</sup> 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

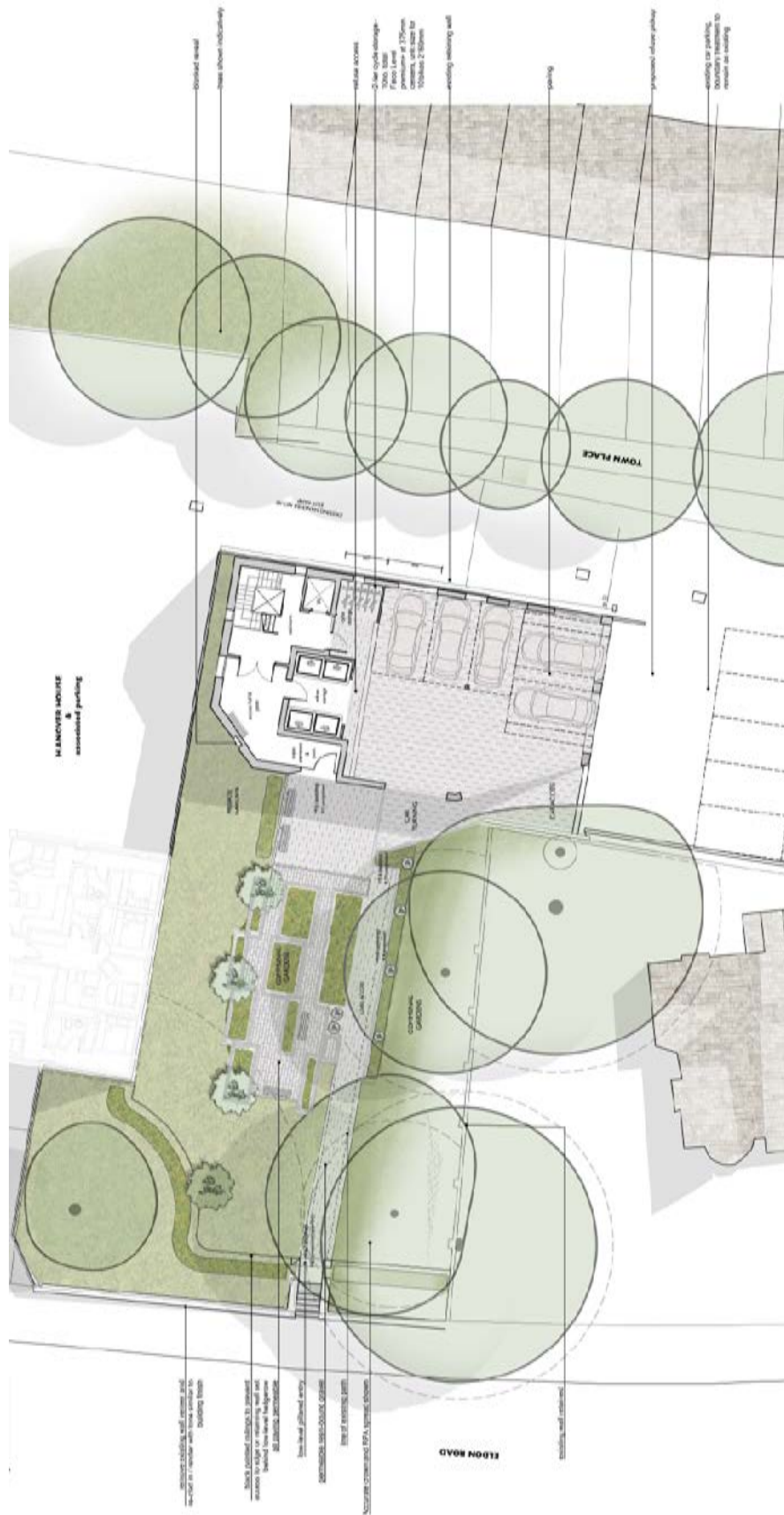
**Other documents submitted:**

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

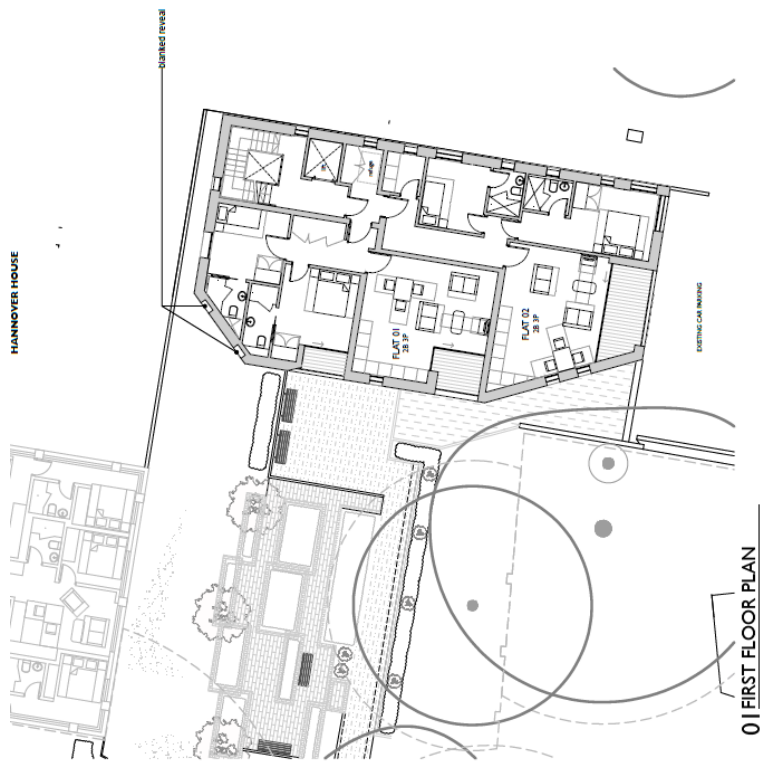
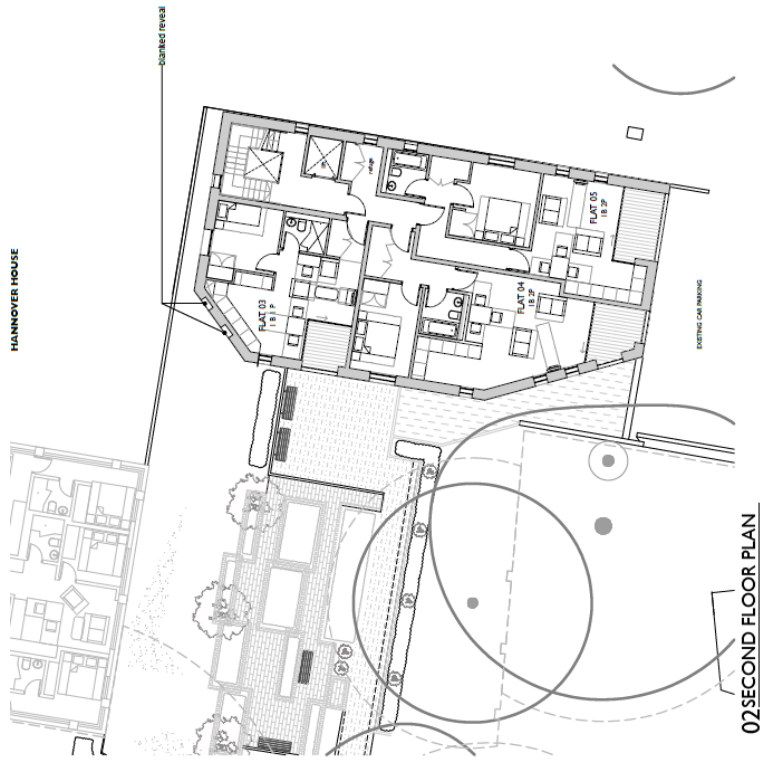
**Information submitted on a private and confidential basis:**

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

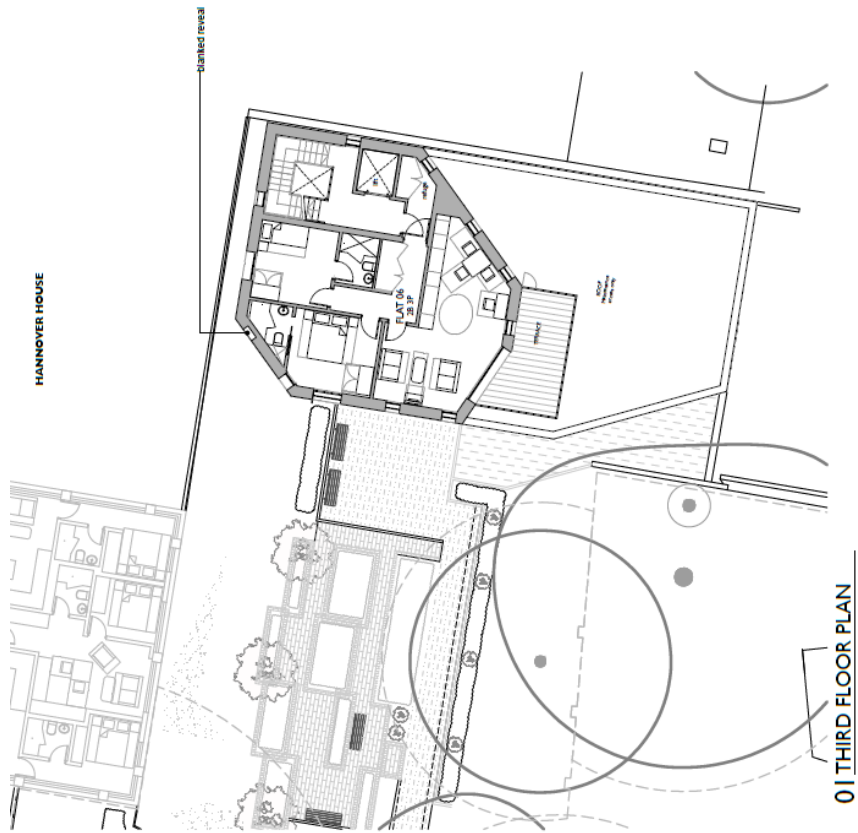
**Case Officer:** Jonathan Markwell



Site Plan / ground floor plan



Proposed First and Second Floor Plans



Proposed Third and Fourth Floor Plans

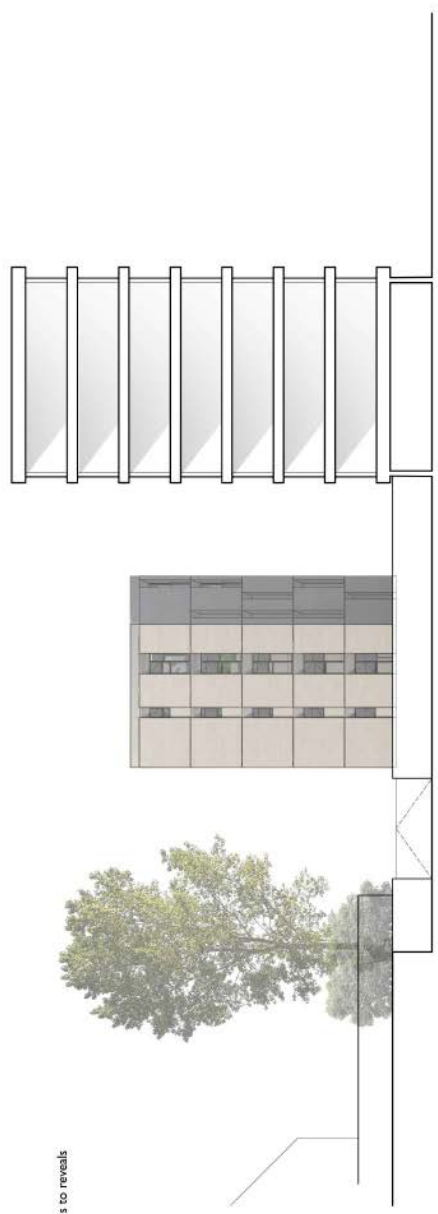


Proposed South and West Elevation Plans

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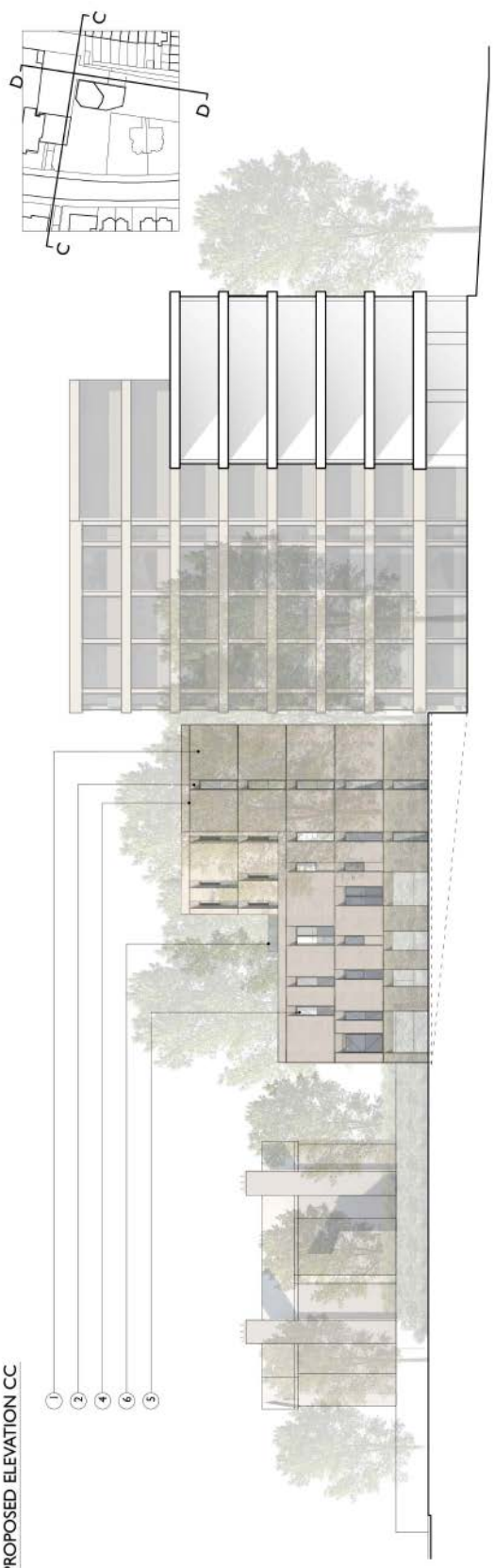
- 1 Smooth stone rainscreen
- 2 Textured stone rainscreen
- 3 Brass / bronze privacy screens to reveals
- 4 Shadow gaps
- 5 Aluminium framed windows
- 6 Glass balustrade



**01 PROPOSED ELEVATION CC**

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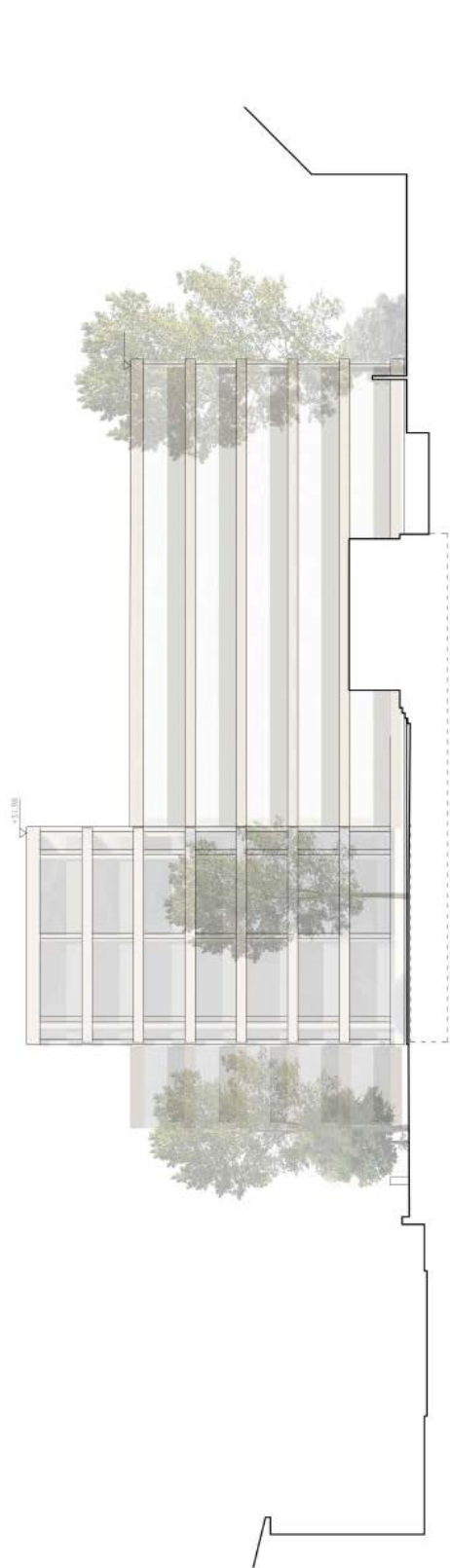


**02 PROPOSED ELEVATION DD**

Proposed North and East Elevation Plans



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01 EXISTING SECTION AA

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02 PROPOSED SECTION AA

Existing and Proposed Section looking north



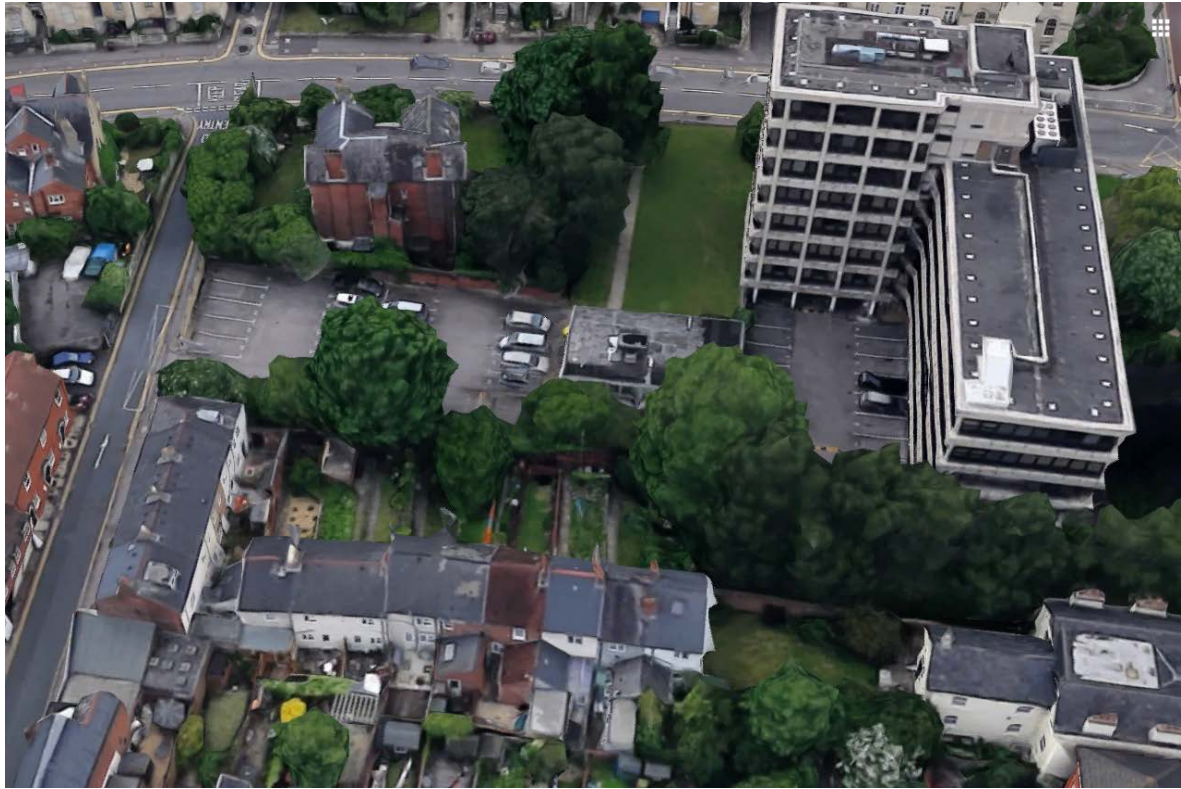
Existing and Proposed section (looking west)



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 4<sup>th</sup> floor of Hanover House towards Mulberry House & Town Place





From 4<sup>th</sup> floor of Hanover House towards Mulberry House & Town Place



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

APPENDIX 2 - UPDATE REPORT FOR 9<sup>TH</sup> JANUARY 2019 PLANNING APPLICATIONS COMMITTEE MEETING

UPDATE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 9<sup>th</sup> January 2019

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.

**Recommendation:**

As in main report, barring:

- the date for the legal agreement to be completed by being **23<sup>rd</sup> January 2019** (rather than the 11<sup>th</sup> July 2018 date specified in error in the main report)
- An additional informative is recommended stating that the applicant is strongly advised to liaise with nearby occupiers/landowners prior to the submission of details for conditions 4 (demolition & construction method statement) and 8 (waste management plan).

## 1. Further public consultation responses

1.1 Subsequent to the publication of the main report, 8 further objections have been received from nearby occupiers (7 from 'new' respondents and 1 from an individual who has commented previously). The further responses are from: properties in Hanover House - 1 at 2<sup>nd</sup> floor level, 1 at 3<sup>rd</sup> floor, 1 at 6<sup>th</sup> floor and 3 from unspecified occupiers; 2 from Eldon Road. A further response has also been received from the Hanover House Residents Management Company. Many of the same issues (already set out at section 4) of the main report are raised, but are detailed below for completeness:

### 1.2 Design / Impact on the Conservation Area

- This will be an even worse eyesore than Hanover House currently is.
- The design looks totally not in keeping with the look and feel of the road and will eliminate what is an attractive grass lawn area in front of the current dentist practice.
- The proposed property will materially worsen the appearance of the road. Given its visual and historical value, only more modest period-style properties should be considered for new construction. Please do not proceed with this awful design.
- The proposed concrete minimalist design for the new Mulberry House could not be more offensive to the historic Victorian properties which sit on Eldon Road and Eldon Square.
- A conservation area is supposed to be enhanced and protected. Not at constant risk of cheap infill property development opportunities for profit.
- 5 storey structure cannot be considered in keeping with the period properties.

- The fact that it sits next to Hanover House should not be used as an excuse to warrant the construction of concrete-based block style building in a conservation area.
  - Please stop this monstrosity from going ahead and reconsider a design which is more in keeping and respectful to the area.
- 1.3 Amenity
- The lengthy construction works will be very painful for the occupiers of surrounding properties. Another objector also mentions this and the need to revise for university exams.
  - It would be awful to have the minimal amount of sunlight Hanover House flats get limited even further due to this building. Another occupier of a third floor flat on the south side of Hanover House says it will block all the sunlight to their flat.
- 1.4 Transport
- Building a property of this size will only cause additional traffic problems in the area
  - The Council would add to the problem by issuing additional parking permits to the new residents and their guests.
  - New tenants will presumably try and take advantage of parking at Hanover House.
- 1.5 Procedural issues regarding being informed about the proposals being considered by the Planning Applications Committee:
- Given the incredibly short notice of this news I find it staggering to receive this over the festive period.
  - This manner of process is simply unfair, rushed and not in keeping of looking after the current residents of this area.
  - Dissatisfaction that this has taken place over Christmas and New year, when most residents are on holiday
- 1.6 Issues raised by the further response of the Hanover House Residents Management Company (HHRMC):
- Serious concerns regarding some of the statements made by the applicant regarding the waste management and refuse collection. Consider that such matters should be resolved via a pre-commencement condition, rather than the recommended pre-occupation condition. Such an approach in effect allows construction to be completed before any serious thought is given to how the waste collection will work for Mulberry House.
  - Issues around access during demolition and construction will be resolved / covered by the pre-commencement demolition & construction method statement. HHRMC assume that either the applicant or RBC will be required to liaise with us before the method statement is approved - it would be better if this was to be formally included in the conditions.
  - Serious doubts regarding the applicant's statements concerning their rights of access through the car park.
- 1.7 Officer response: As per the main report (sections 6ii, 6v, 6vi & ix in particular) the proposals are considered to be appropriate subject to conditions. An additional informative is recommended in relation to encouraging the applicant to liaise with nearby occupiers/landowners prior to the submission of details for conditions 4 (demolition & construction method statement) and 8 (waste management plan).

Regarding procedural concerns about being informed about the proposals being considered by the Planning Applications Committee over Christmas/New Year, this followed standard protocol on such matters.

**Case Officer: Jonathan Markwell**

By virtue of paragraph(s) 6a, 6b, 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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