

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO.

PLANNING APPLICATIONS COMMITTEE: 6th 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: 25th April 2017

Application target decision date: 27th 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 27th 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)

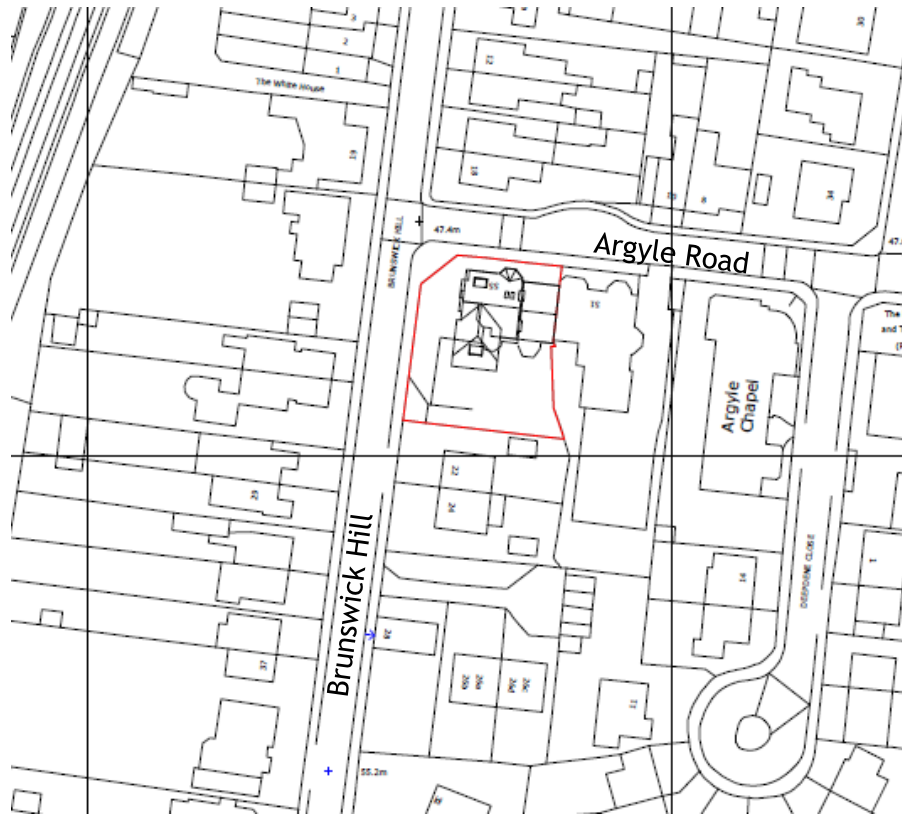
12. No automatic entitlement to parking permits
13. Pre-occupation implementation of obscure glazing
14. Pre-occupation provision of car parking spaces
15. Pre-occupation implementation of SUDS, maintenance and management thereafter
16. Maintenance of SUDS
17. Notwithstanding the provisions of the GPDO 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 162m² 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 adjoined 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 162m². 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 6th 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 547.8m². 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

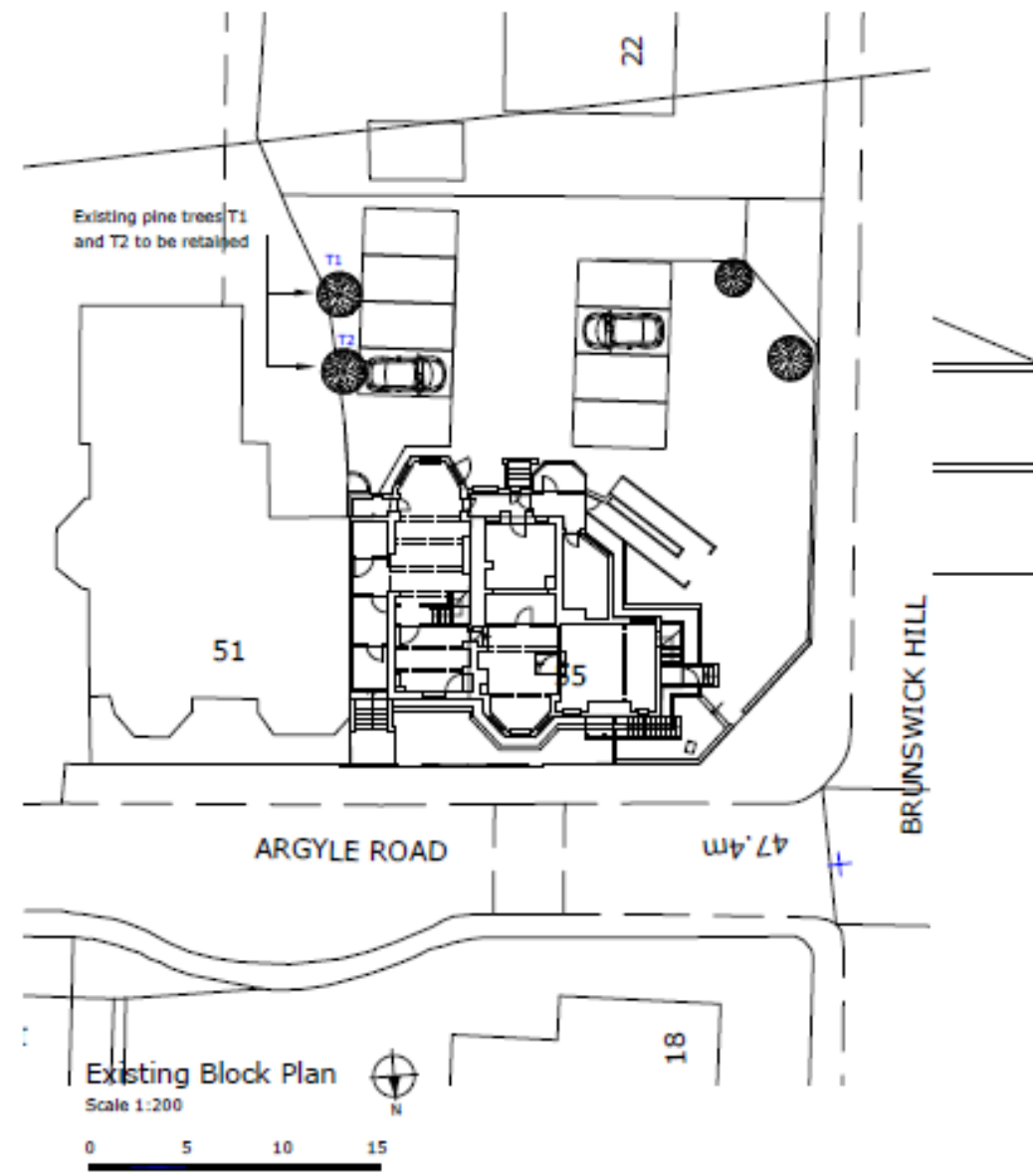
- 8.1 The proposed development is considered to be acceptable in the context of national and local planning policy and other material considerations as set out in this report. As such the application is recommended for approval, subject to satisfactory completion of a section 106 legal agreement and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



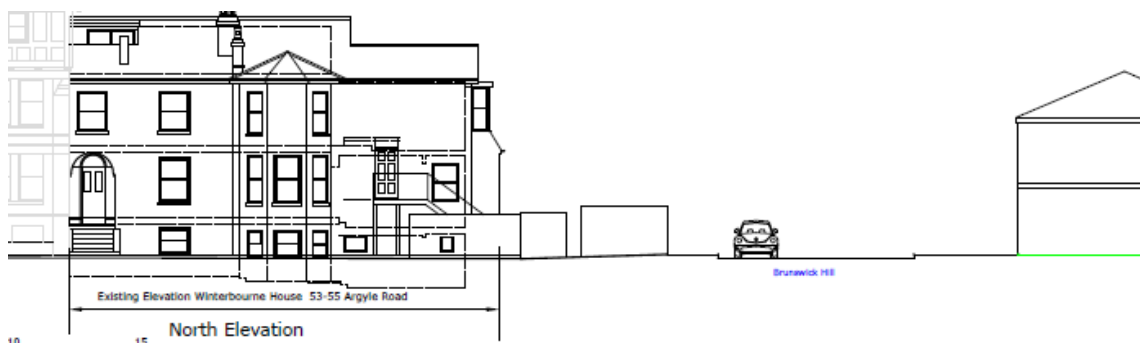
South Elevation

Scale 1:100



West Elevation

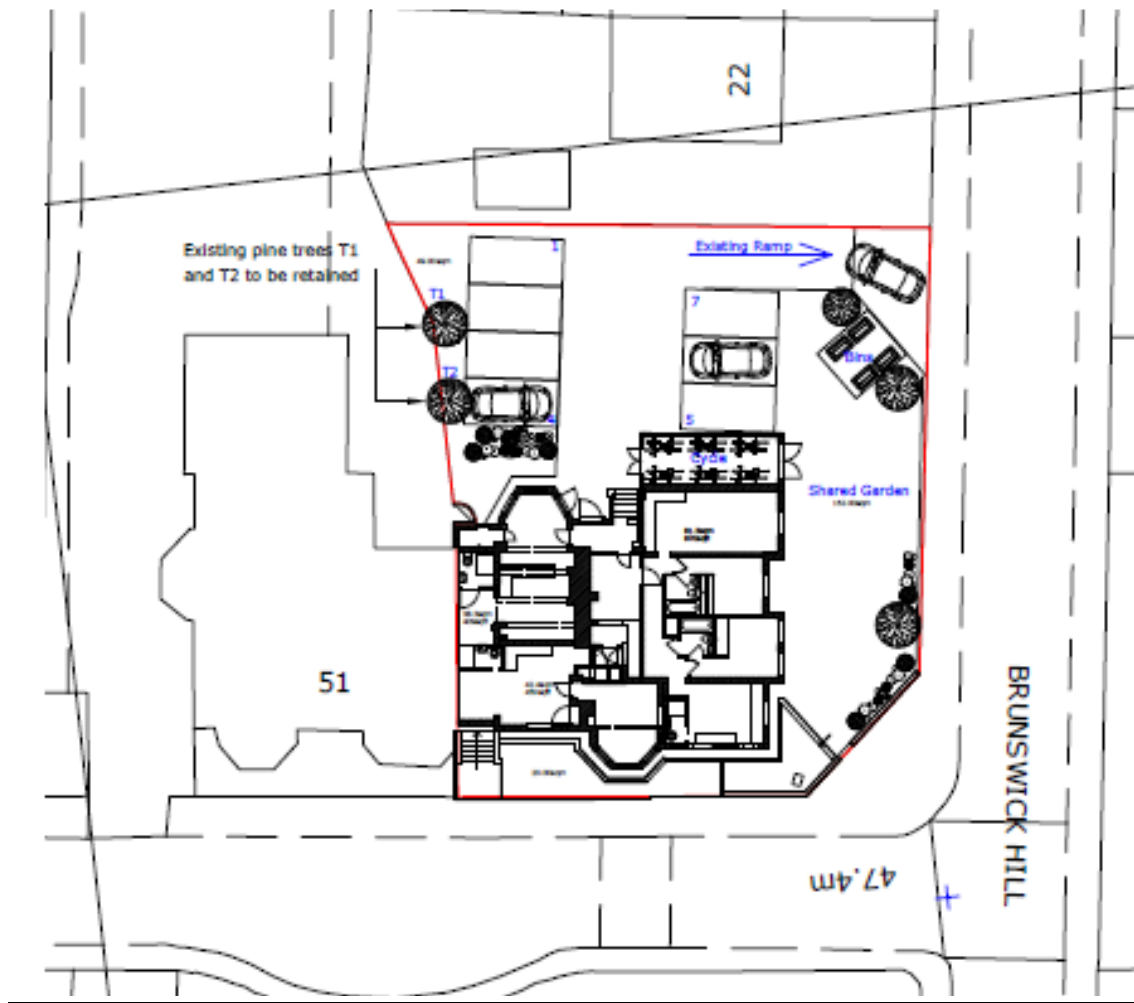
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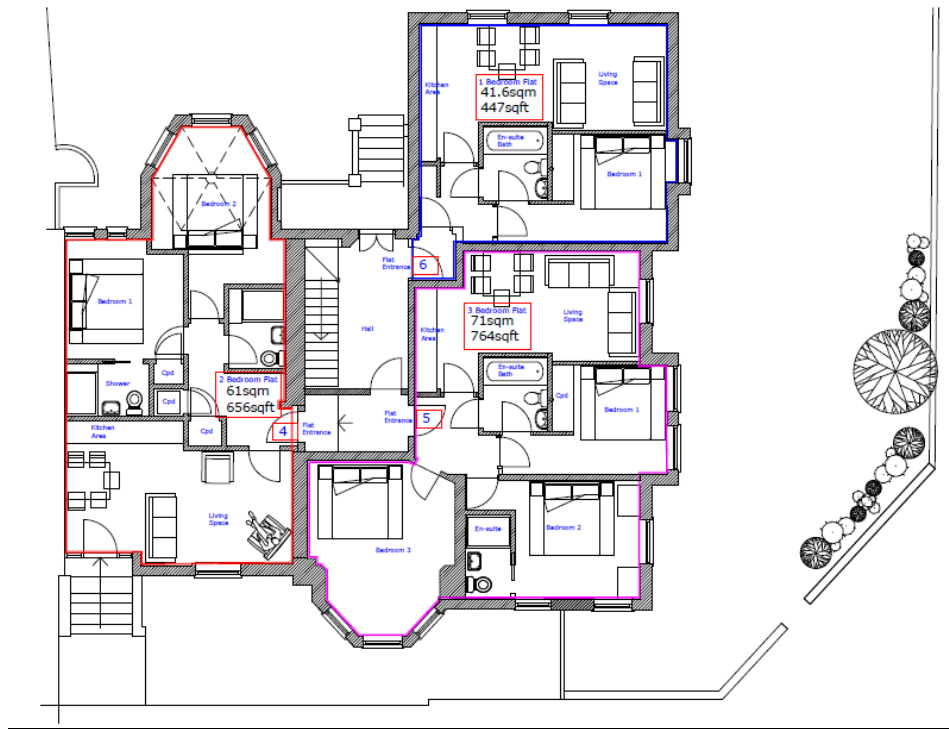
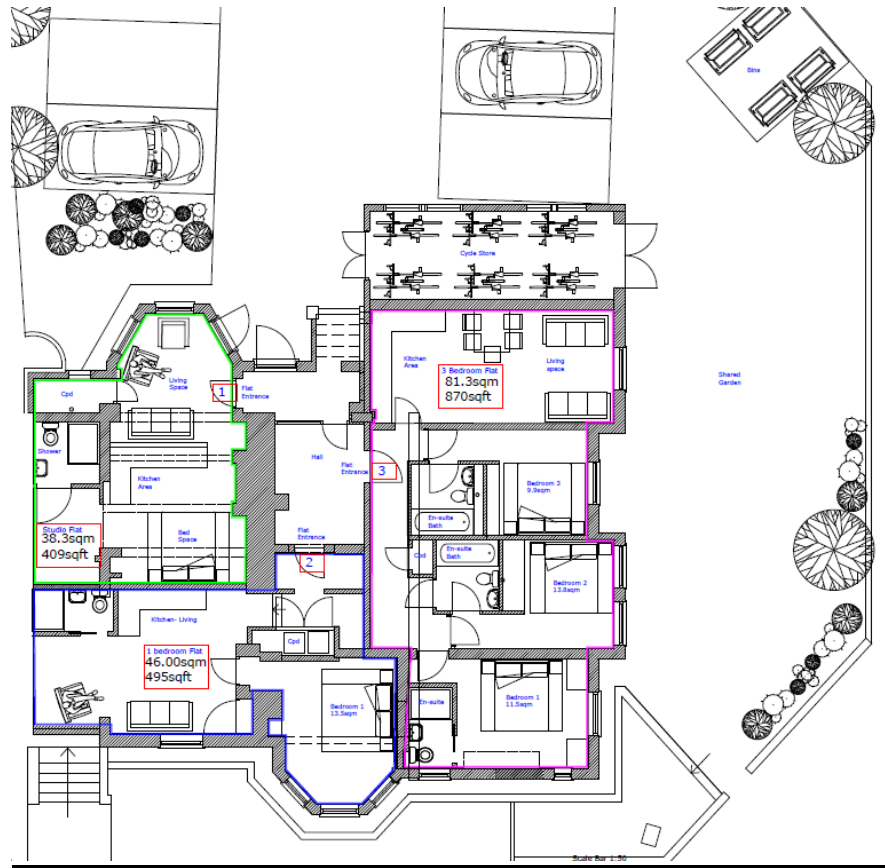
North Elevation

Scale 1:100

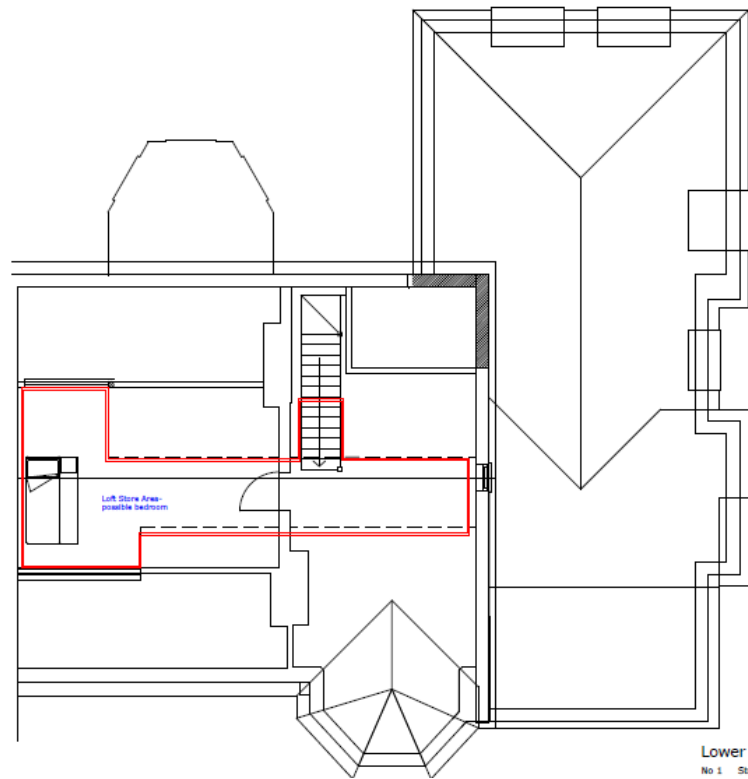
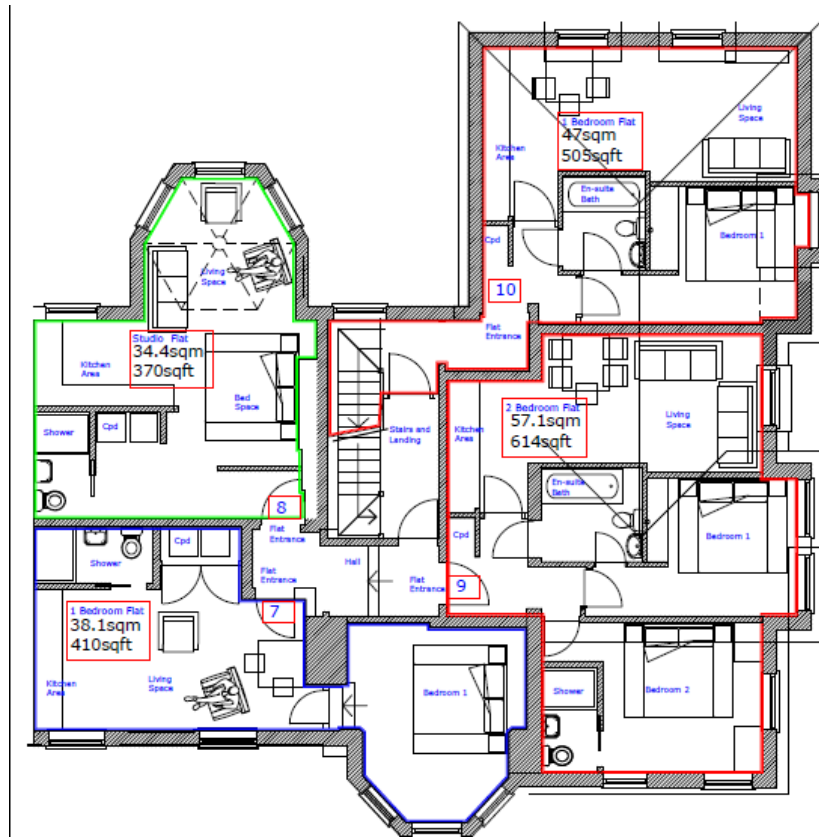
Existing elevations



Proposed Site Plan

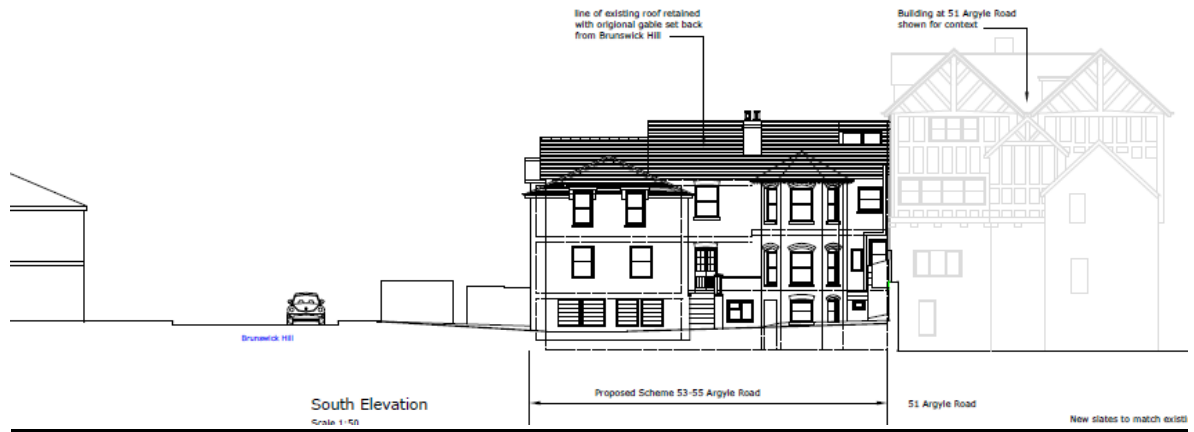


Proposed lower and upper ground floor plans

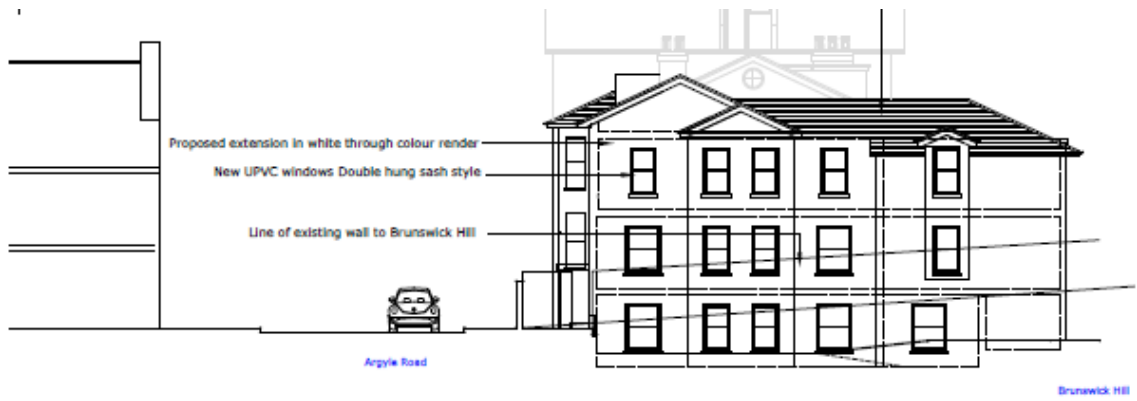


Lower C
No 1 Stud

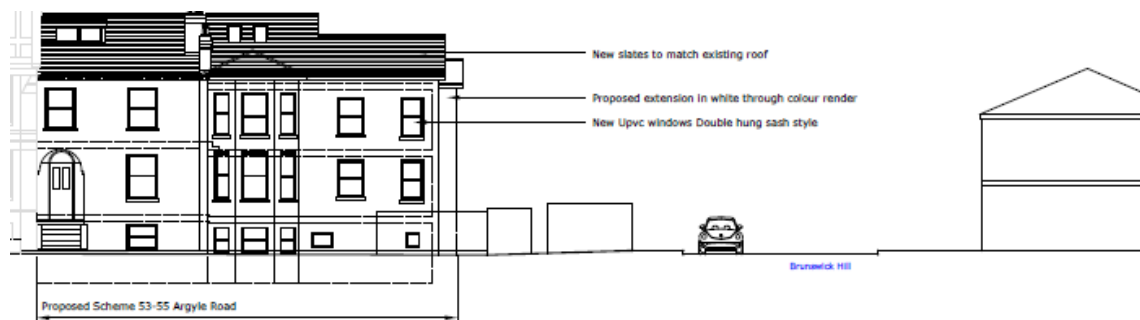
Proposed first and second floor plans



Proposed south elevation



Proposed west elevation



Proposed north elevation