

BY THE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE: 5 February 2020

ITEM NO.

Ward: Katesgrove

App No.: 191043

Address: 43 London Street, Reading, RG1 4PS

Proposal: Part-demolition of existing London Street facade and internal works to building alongside demolition of two storey building to rear to enable residential-led mixed-use

Date Application Valid: 16 July 2019

Target decision date: 7th February 2020

RECOMMENDATION

Delegate to Head of Planning & Regulatory Services (HPRS) to (i) GRANT Full Planning Permission with appropriate conditions and informatives, subject to the satisfactory completion of a S106 legal agreement by 7th February 2020, or;

(ii) to REFUSE permission should the legal agreement not be completed by the 7th February 2020 (unless officers on behalf of HPRS) agree to a later date for completion of the legal agreement).

The legal agreement shall secure the following Head of Terms:

1. £100,000 contribution towards affordable housing to be paid before first occupation of the 6th unit hereby approved;
2. Provision of a deferred affordable housing contribution mechanism whereby if the value of the residential element exceeds a total of £6.6m, then the Council will receive 25% of any extra proceeds in addition to the £100k capped at the cash equivalent off 30%. This will be assessed on the sale of the 18th unit hereby approved;
3. 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;
4. Commitment to provide a Construction Phase Employment and Skills Plan (ESP); otherwise a payment towards such in accordance with the Council's adopted Employment, Skills and Training SPD.

And the following conditions:

1. Time limit
2. Approved plans
3. Dwelling mix restriction
4. Materials to be submitted
5. Means of enclosure - to include privacy screens
6. Rainwater goods, venting & ducting

7. Soft and hard landscaping scheme - To include details of green roofs.
8. Bat survey - To include any required mitigation prior to commencement of development.
9. Bat licence to be submitted.
10. Sustainability
11. SAP Assessment - Design stage (to be approved)
12. SAP Assessment - As built (to be approved)
13. Details of PV
14. Water efficiency requirement
15. EV charging point
16. Surface water drainage strategy
17. Construction Environmental Management Plan
18. Hours of working - Construction and demolition phase
19. No bonfires
20. Air quality assessment and mitigation - As submitted.
21. Mechanical plant (noise assessment required)
22. Noise assessment and mitigation scheme to be submitted - To take account of relationship to and existing noise generated by nearby venues.
23. Notification of new residents to nearby live music venues
24. Sound proofing measures in accordance with Building Regulations to be implemented.
25. Site security strategy
26. Contamination - Site Characterisation
27. Submission of Remediation Scheme
28. Implementation of Approved Remediation Scheme
29. Reporting of Unexpected Contamination
30. Land Gas
31. Construction Method Statement
32. Vehicle parking space provided in accordance with approved plans
33. Bicycle parking space provided in accordance with approved plans
34. Parking permits 1
35. Parking permits 2
36. Bin storage - To include measures to prevent pests and vermin access.
37. Refuse collection details
38. Delivery and servicing single unit (to be approved)
39. Written scheme of archaeological investigation

Informatives

1. Positive and proactive requirement
2. S.106 legal agreement relevant
3. CIL-liable
4. Terms and conditions
5. Pre-commencement conditions
6. No parking permits
7. Works affecting the Highway

- 8. Fee for conditions discharge
- 9. Building Regulations
- 10. Building Regulations Approved Document E.

1. SITE DESCRIPTION

- 1.1 The application site comprises of No. 43 London Street, No. 43A London Street and a private parking area to the rear. No. 43 London Street is a narrow two-storey building fronting onto London Street. It is sandwiched between two taller properties either side, both of which are Grade II Listed. Whilst not listed, number 43 (together with Nos. 45 to 47) is designated as a Building of Townscape Merit. Number 43 was last used as a dental surgery and has been vacant since 2016.

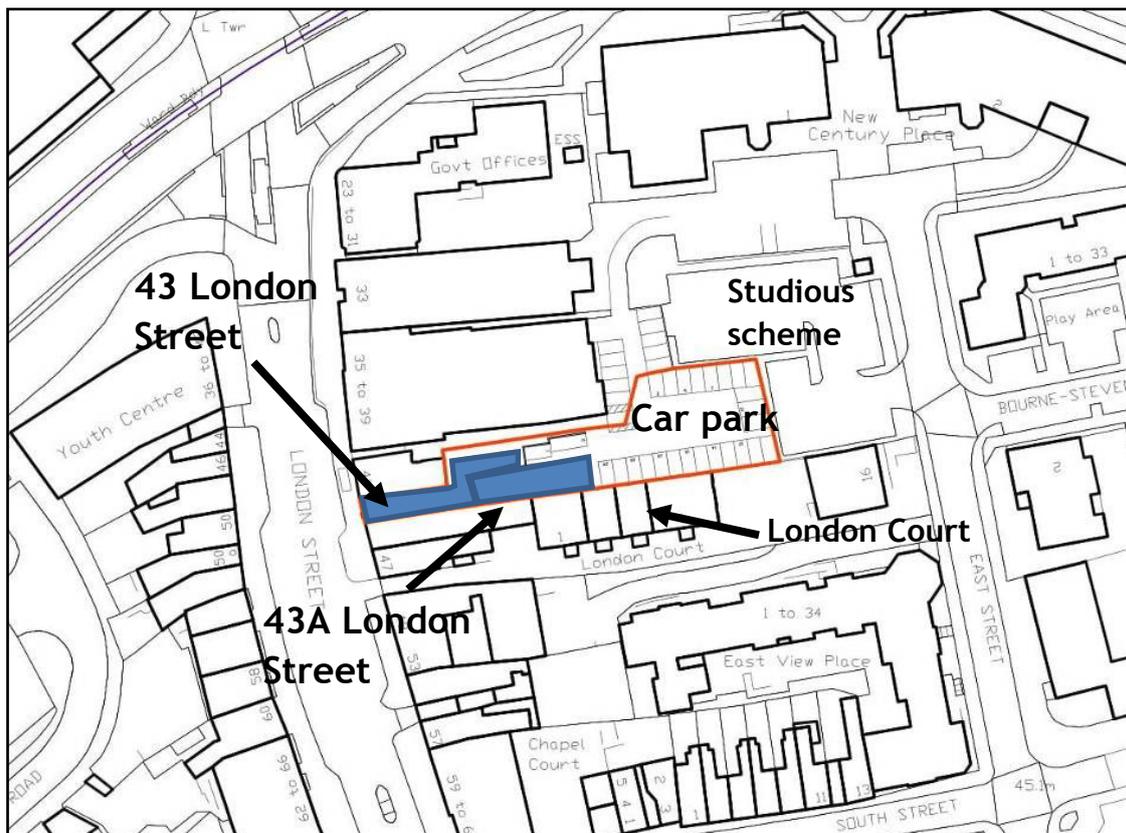


Figure 1 - Annotated Location plan with key features (Not to scale)

- 1.2 To the rear, No. 43A is an uninspiring flat roof infill building, accessed from London Street via the covered passageway of Sims Court. It was formerly used as a separate office in association with the dental practice which existed at number 43, however more recently it has been used for a range of alternative purposes. 43A was built on an area originally occupied by mews housing which fronted onto Sims Court.
- 1.3 To the rear of No. 43A, the passageway of Sims Court elevates to an existing private parking area. This car park is accessed by a vehicle ramp from East Street. The car park is bounded by the flank wall of London Court to the south, the rear of 35 - 39 London Street (RISC Cafe) to the west and recently constructed Studios scheme to the east.



Figure 2 - Aerial view from London Street (application site highlighted)



Figure 3 - Aerial view from East Street (application site highlighted).

- 1.4 The immediate land to the rear of London Street consists of range of historic and modern buildings accessed via Sims Court, London Court and East Street. These consist of blocks of flats, offices, Purpose Built Student Accommodation (PBSA) and community uses.
- 1.5 The application site is within the Reading Central Area but just outside of the Central Core as defined by the Local Plan. The site lies within easy walking and cycling distance of both

the town centre and railway station. It is also located within the eastern edge of the Market Place/London Street Conservation Area, the boundary of which runs along the centre of East Street. Public access is both attainable from East Street via the existing car park ramp from London Street along Sims Walk alleyway.

- 1.6 Members might be aware of the context of the immediately adjoining Studios Scheme which was allowed on appeal in August 2018 for 103 rooms of PBSA (ref. APP/E0345/W/17/3190317). Subsequent approval was then granted for a variation to increase this by 5 additional student rooms at ground floor level. This resulted in provision of 108 rather than 103 student rooms. Finally, a revised application 181849/FUL was approved at Planning Applications Committee for an increase in height of this building to five storeys and a total of 135 units of PBSA.
- 1.7 The consequence of this appeal being allowed and the subsequent construction of a large 5 storey building to the eastern side of the site, is that the visual setting of land to the rear of London Street, and this application site in particular, has been fundamentally altered.

2. PROPOSAL

- 2.1 This planning application seeks permission for the partial-demolition and extension of the existing upper floor facade of 43 London Street, internal works, alongside demolition of the existing two-storey building to the rear at 43A to enable a residential-led mixed-use development comprising 48 sqm community use (Class D1) and 21 residential units together with associated services enclosures, parking and landscaping.
- 2.2 Specifically, the proposal consists of the following distinct parts:
 1. **Front of the site (43 London Street)** - Partial-demolition, conversion, refurbishment and extension of 43 London Street to continue to provide D1 community use on ground floor and 3 flats (C3 use) on upper floors, and green roof gardens;
 2. **Rear of the site (43A London Street, Sims Walk and car park)** - Demolition of the existing two-storey building to the rear (43A London Street) and creation of new residential mews style block containing 18 units, bin/cycle store, and communal areas including a private courtyard.
- 2.3 The proposal has been through extensive pre-application negotiations with officers, along with engagement with Members, the Design Review Panel and local interest groups at various stages since 2018. The resultant proposals have sought to incorporate comments as appropriate and most notably respond to the changing site context as a direct result of the approval and now construction of the adjoining Studios scheme.
- 2.4 Most recently a comprehensive set of revisions were accepted and consulted upon in January 2020. For clarity these changes are summarised as follows:
 - Eastern element of the scheme reduced and set back in line with façade of RISC building in order to widen gap to the student accommodation being constructed on the adjoining site.

- Lift shaft lowered to reduce height of scheme on corner and timber cladding incorporated on stair tower to reduce area of glazing and reinforce residential scale.
- Enlarged courtyard area forming new 'Sims Square' to maintain outlook from existing windows at the rear of London Court with deep built in planters around the perimeter to maintain privacy and gates to provide security.
- Bays on to Sims Square faced in frosted glass / translucent panels to maintain privacy and prevent overlooking into adjoining properties.
- Balconies repositioned and/or fitted with privacy screens to prevent possible overlooking of/from adjoining properties. Translucent glass fitted to first floor balconies facing Sims Court to provide privacy to bedrooms.
- High retaining wall on north boundary replaced by lower brick wall enclosing new terrace/garden area to lower ground floor Flat 18 and effectively expand communal garden of student accommodation.
- Terrace to upper ground floor Flat 19 enclosed by frosted glass privacy screens to prevent overlooking.
- Shallower bays on north and east façades clad in frosted glass / translucent panels to prevent overlooking of adjoining development.
- Flat 22 reconfigured as a maisonette set back from building perimeter with curved enclosure on south side to widen gap to the adjoining student accommodation and form 'rotunda' feature at top of the building.
- Roof terrace to top floor Flat 22 enclosed by frosted glazed privacy screens on perimeter to prevent overlooking of surrounding properties.
- Bays facing Sims Court remodelled to provide small terrace areas to flats on the second floor.
- Reconfigured refuse and cycle storage areas with bedroom on lower ground floor of Flat 5 omitted.

2.5 The application is being reported to Planning Applications Committee as a major category planning permission.

3. PLANNING HISTORY

3.1 43 and 43A London Street

77/00328/00 - ALTERATIONS AND EXTENSION TO DENTAL SURGERY FACILITIES
GRANTED unconditionally 03 June 1977

76/00559/00 - CONSTRUCT NEW DENTAL BLOCK. Withdrawn 30 September 1977

84/TP/1046 - CHANGE OF USE FROM DENTAL SURGERY TO OFFICES
GRANTED (Conditionally) 25 February 1985

3.2 Adjoining site (Land at East Street)

170019 - Erection of 4-storey building to provide 103 student accommodation units (Sui Generis), landscaping, access and ancillary works, following removal of a 49-space car park. REFUSED then ALLOWED ON APPEAL (ref. APP/E0345/W/17/3190317).

181629/NMA - Non-material amendment to application 170019 (Allowed under appeal APP/E0345/W/17/3190317) for re-configuration of consented basement arrangement and associated changes to internal layout at ground floor level
AGREE NON-MATERIAL AMENDMENT.

181849/FUL - Erection of a part-4 part-5 storey building (plus basement) to provide 135 units of purpose-built student accommodation and associated facilities (Sui Generis), landscaping and access
APPROVED at PAC.

4. CONSULTATIONS

4.1 RBC Heritage Consultant: No objections subject to conditions. Full comments available on the public file and summarised by officers as follows:

Retention of the façade to No. 43 London Street is considered a positive benefit. The addition of a two-storey matching brickwork extension with parapet would also be in-keeping with character of the adjoining area and Listed Buildings.

The proposed replacement mew style building to the rear of No. 43 is considered appropriate to the scale and character of the Conservation Area and would replace the existing poor-quality building on the site. There are, therefore, no objections in principle to the proposals which would preserve the character and appearance of the Conservation Area, subject to conditions.

4.2 Thames Water: No objection.

4.3 RBC Transport: No objection subject to conditions following receipt of additional information by email on 02/10/2019 which consisted of a Highway Response Note including the Vehicular Swept Paths (Drawing no. TR04). Recommended conditions:

- CO2 Construction Method Statement
- DC1 Vehicle parking space provided in accordance with approved plans
- DC3 Bicycle parking space provided in accordance with approved plans
- DC7 Parking permits 1
- DC8 Parking permits 2
- DC6 Bin storage
- C00 Refuse collection
- IF3 Highways
- I13 Parking Permits

Full comments available on the public file.

4.4 RBC Environmental Protection: No objections subject to conditions. Full comments available on public file and summarised by officers as follows:

Noise - A noise assessment has been submitted with the application which proposes suitable glazing and acoustic trickle vents. However, as the assessment does not clearly predict internal noise levels, identifies mechanical plant in the vicinity which was not on at the time of the assessment and has not included noise from RISC café bar as there were no events planned in on their calendar. As such, further investigation is needed to be secured as part of a noise assessment condition.

Air Quality - The air quality assessment submitted with the application concludes that the EU limit values for NO₂ are likely to be exceeded at the London Street façade and at ground floor level at the receptor near to the London Street façade. The assessment therefore proposes mechanical ventilation with the inlet at roof level, or the use of NO₂ filtration within the air intake should these be at the polluted façade. This can be secured via condition.

Contamination - Conditions are recommended to ensure that future occupants are not put at undue risk from contamination.

Refuse storage - There is a widespread problem in Reading with rats as the rats are being encouraged by poor waste storage which provides them with a food source. It is therefore important for the bin store to be vermin proof to prevent rats accessing the waste. Standard refuse and recycling details will therefore include measures to prevent pests and vermin access.

4.5 RBC Natural Environment Team: No objection subject to conditions.

“There are no significant tree or landscape features to be harmed as a result of this application. I welcome the introduction of landscaping to the site and the inclusion of green roofs on the build. I can confirm that there are no tree/landscape objections to this planning application. If planning permission is granted we will require landscaping conditions L2a, L2b, L3 if planning permission is granted”

Comments received following revised plans:

“I have no objections to the proposed amendments. Please attach the following amended landscape condition if planning permission is granted: (Amended L1)”

4.6 RBC Ecologist: Bat survey required.

“The proposals include the demolition of one building and works to a second building which will affect the roof of the building. Images on Google Map show that the existing buildings on site may contain features suitable for use by roosting bats. There is suitable bat foraging habitat nearby as the site is close to the River Kennet (I have seen a bat flying across London Street at dusk in this location). As such, the proposals could affect roosting bats and a bat survey would need to be undertaken to assess whether or not this is the case, and a report

detailing the assessment would need to be submitted with the application. Further details are given below.

Legislation - All species of bats receive protection under UK law and it is a criminal offence under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (The Habitat Regulations), deliberately or recklessly to destroy or damage their roosts, or to disturb, kill or injure them without first having obtained the relevant licence for derogation from the regulations from the Statutory Nature Conservation Organisation (the SNCO - Natural England in England).

Planning policy - Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System (this document was not revoked by the National Planning Policy Framework) states that:

“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.”

In this case because neither the presence or otherwise of protected species, nor the extent to which they may be affected has been established, the application would not be in accordance with the above planning policy, or other planning policy in relation to biodiversity.

Survey requirements - A presence / absence bat survey is normally undertaken in two stages, firstly a preliminary roost assessment, whereby the inside and outside of the building is surveyed for bats and signs of bats. This survey can be undertaken at any time of year.

If bats are found or features within the building have the potential to support roosting bats and these will be affected by the proposals, further dusk emergence and or pre-dawn re-entry surveys during the bat active season (i.e. between May and the end of August/ sub optimally until mid-October) would need to be carried out. The applicant would then need to submit the results of the survey(s) along with any associated mitigation strategy prior to determination of the application.

Surveys should be carried out by suitably experienced ecologists who are a member of a professional organisation such as the Chartered Institute of Ecology and Environmental Management and / or are licensed or accredited by Natural England to survey bats.

Summary - The buildings may host roosting bats and to confirm whether this is the case, and if so how bats will be affected by the proposals, a bat survey will need to be carried out. The survey will need to be carried out prior to determination of the application or the application would need to be refused on the grounds that insufficient evidence had been

provided to determine the likely impacts of the proposals on bats (which are a protected species and a material consideration in the planning process).

4.7 RBC Archaeology: No objection subject to written scheme of archaeological investigation. Full comments available on public file.

4.8 RBC Waste Team: No objection subject to private waste collection to be secured via condition.

Public Consultation

4.9 4 letters of representation were received from 99 London Street, Flat 3 (1 London Court), Colin Wells and Hamilton Property Investments Ltd (owners of 4 London Court). These representations are summarised as follows:

- Proximity to the buildings on London Court will negatively impact the character of the surrounding area;
- Overbearing on the buildings on London court of which several are in residential use;
- Development will adversely affect the light to 2 and 3 London Court;
- Development would be out of place and imposing on all other properties in the area.
- The construction of this development would be disruptive.
- Overlooking issues at varying vertical angles and direct line of sight potentially afforded in to all of the rear windows of 3 London Court.
- Requirement for any planters not to block fire exit of 3 London Court ground floor Development would abut an old wall with poor DPC and potentially cause future structural issues.
- Upper ground/first/second floor would cause overlooking.
- Roof layout highlights a “trough” arrangement which would need surface water collection provision and conditions if consented.
- Hamilton Property Investments Ltd - Whilst generally welcoming the redevelopment of this site, concern over:
 - The affect on privacy of our existing residential apartments,
 - Drainage from the existing pitched roof of London Court
 - Concern that the proposed development will involve underpinning London Court, with considerable disruption to existing occupants.
 - Existence of 4 ventilation ducts on the rear elevation of 4 London Court, and can see no provision for these being incorporated into the proposals.

4.10 *Officer comments* - Matters concerning character, privacy, loss of light and possible disruption caused during construction are important material considerations which are covered in detail in the main body of the report. With regard to ventilation ducts, drainage between both roofs and privacy, officers have been made aware of an agreement being reached between the applicant and the owner of 4 London Court (Hamilton Property Investments Ltd). This confirms that the flank wall of the development is able to incorporate vertical ventilation ducts for No.4 which can extract at high level. It also confirms that the gutter at the rear of London Court already overhangs the application site, meaning access for cleaning and maintenance is currently undertaken from the applicant’s land. Section drawing LSR/032/P2 identifies that the scheme will be set back at second floor level to allow for the gutter to be retained and it will be accessible for maintenance from the new

landscaped courtyard. Details of rainwater goods and venting & ducting arrangement can be secured via a suitable worded condition covering both matters. Finally, it has been confirmed that balconies and roof terraces in the development will be enclosed by 1.8 m high frosted glass screens to prevent any overlooking of adjoining properties including the top floor flat of No4.

- 4.11 A site notice was displayed on the London Street frontage for the requisite time period and a press notice published.

5. RELEVANT POLICY AND GUIDANCE

- 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'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making. In this case the development plan consists of the Reading Borough Local Plan 2019.
- 5.4 Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

Reading Borough Local Plan 2019

CC1: Presumption in favour of sustainable development

CC2: Sustainable design and construction

CC3: Adaptation to climate change

CC5: Waste minimisation and storage

CC6: Accessibility and the intensity of development

CC7: Design and the public realm

CC8: Safeguarding amenity

CC9: Securing infrastructure

EN1: Protection and enhancement of the historic environment

EN2: Areas of archaeological significance

EN3: Enhancement of Conservation Areas

EN4: Locally important heritage assets

EN5: Protection of significant views with heritage interest

EN6: New development in a historic context

EN12: Biodiversity and the green network

EN15: Air quality

EN16: Pollution and water resources

EN18: Flooding and drainage

H1: Provision of housing
H2: Density and mix
H3: Affordable housing
H5: Standards for new housing
H10: Private and communal outdoor space

TR1: Achieving the transport strategy
TR3: Access, traffic and highway-related matters
TR4: Cycle routes and facilities
TR5: Car and cycle parking and electric vehicle charging

OU1: New and existing community facilities

CR1: Definition of central reading
CR2: Design in central reading
CR6: Living in central reading

Supplementary Planning Documents

Sustainable Design and Construction (2019)
Planning Obligations under Section 106 SPD (2015)
Employment, Skills and Training SPD (2013)
Residential Conversions SPD (2013)
Affordable Housing SPD (2013)
Revised Parking Standards and Design (2011)
Tree Strategy for Reading (June 2010)

Other Reading Borough Council documents

Reading Tree Strategy (2010)
Market Place/London Street Conservation Area Appraisal Document 2007
Waste Management Guidelines for Property Developers, Reading Borough Council

Other material guidance and legislation

National Planning Practice Guidance (2019)
Section 66(1) of the Town and Country (Listed Buildings and Conservation Areas) Act 1990
Section 72 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990
The Community Infrastructure Levy (CIL) Regulations (Amended 2015)
Department for Transport Manual for Streets
Department for Transport Manual for Streets 2
Berkshire (including South Bucks) Strategic Housing Market Assessment - Berkshire Authorities and Thames Valley Berkshire Local Enterprise Partnership, Final Report, February 2016, prepared by GL Hearn Ltd
Technical Housing Standards - Nationally Described Space Standard, DCLG, 2015
Site Layout Planning for Daylight and Sunlight: a guide to good practice (BR 209), P. Littlefair, 2011

6. APPRAISAL

The main issues to be considered are:

- Principle of development
- Character and appearance of the area
- Residential Amenity
- Transport and access
- Other matters

6.1 Principle of development

6.1.1 It is helpful to identify the two main components of this proposal which must be considered in order to establish the principle of development. These are:

- The loss of any existing non-residential uses at either 43 and 43A London Street; and
- The principle of residential development.

6.1.2 Policy CC1 of the Reading Local Plan 2019 outlines a positive and proactive approach to new development which directly reflects the NPPF's presumption in favour of sustainable development. Policy CC1 is clear that any proposed development that conflicts with the development plan will be refused unless other material considerations indicate otherwise. Where appropriate, the Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Loss of existing non-residential uses at 43 and 43A London Street

6.1.3 43 London Street was last used as a Dental Surgery (D1 community use). The Dental Surgery has since vacated the premises and relocated to another part of the town centre. Whilst the premises remain vacant, the lawful permitted use of this building remains D1 community use.

6.1.4 Given officer concern expressed over the loss of an existing community facility at pre-application stage, this proposal now seeks to retain 48sqm of refurbished D1 community use at ground floor of 43 London Street, whilst converting the upper floors of this building to residential. Policy OU1: 'New and Existing Community Facilities' of the Local Plan 2019 is clear in its support for improved community facilities in sustainable locations.

6.1.5 For 43a London Council records highlight a 1985 permission for a change of use of this part of the site from a Dental Surgery to offices (B1). The most recent authorised use of 43A London Street was its lease to a telecommunications business (B1 use) from April 2014 to June 2018 and no permission was sought for this use. It appears this company left this space early, allowing the unauthorised use of the building as a place of worship in 2016. Information provided from Valuation Office Agency (VOA) highlights clear separation of use between number 43 and 43A, with the former described as 'Surgery and Premises' and the latter as 'Offices and Premises'. The VOA records confirm that this separate arrangement has been in place since at least 2003, which is the first record for 43A. The business rate

records for 43 also clearly establish that the dental surgery had its own office space within the building.

6.1.6 Therefore officers are satisfied that 43 and 43A London Street should be treated as separate planning units, with 43 identifiable as Class D1 community use (Dental surgery) and 43A identifiable as Class B1 (Office use).

6.1.7 The proposal is not considered to result in any harmful loss of D1 community use floorspace, as the unit has been vacant for over three years and a small element of D1 floorspace is retained and the loss of the sub-standard office use would not be contrary to Local Plan policies. Therefore, the principle of the loss of the two non-residential uses is acceptable.

The principle of residential development.

6.1.8 As the site is located within the Reading Central Area as defined by the Reading Local Plan, it is considered an acceptable location for residential development in accordance with the aims of Policy CC6 (Accessibility and Intensity of Development). The provision of new housing in this location would also align with the broad objectives of Policy H1 (Provision of Housing) in continuing to meet the borough's annual housing targets through suitable windfall sites. The principle of residential development on the remainder of the site is therefore accepted.

Housing mix

6.1.9 In terms of housing mix, Policy CR6 (Living in Central Reading) seeks that residential developments within the town centre area should incorporate a maximum of 40% of 1 bedroom units and a minimum of 5% of 3 bedroom units.

6.1.10 The application seeks the following housing mix:

9 x 1-bedroom units (42.8%) (Including studio flats)
10 x 2-bedroom units (47.6%)
2 x 3-bedroom units (9.5%)

6.1.11 Whilst marginally in excess of the maximum proportion of 1-bedroom units (42.8% compared to a maximum 40% required), the proposal provides a higher proportion of 3-bedroom units than the required minimum. Furthermore, the percentage of 1-bedroom units is composed of two distinct house types, 1-bedroom flats and single studio flats. Based on the characteristics of the site and the appropriateness for smaller units in such an arrangement, the overall dwelling mix proposed by the development is therefore considered adequately justified in accordance with the requirements of Policy CR6.

Affordable housing

6.1.12 Policy H3 of the Local Plan (Affordable Housing) seeks to ensure that development proposals of more than 10 dwellings should provide the equivalent of 30% on-site provision of affordable housing. The applicant has provided an Affordable Housing Financial Viability Appraisal (FVA) which demonstrates that the development cannot sustain such a contribution towards affordable housing. Policy H3 states that where proposals fall short

of the policy target as a result of viability, the Council will take an 'open-book approach' with the onus on the developer/landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution.

- 6.1.13 The submitted viability showed that the development carries a significant negative position as verified by the Council's Valuer but your officers are conscious of the need to sensitively explore ways to allow the scheme to either/or provide some form of contribution or achieve policy compliance over time. Whilst the Local Plan contains no specific requirement to pursue a deferred payment mechanism for these circumstances, there is a need to consider advice contained within both the NPPF, Planning Practice Guidance (PPG) and the Council's RBC Affordable Housing SPD (2013). All these documents, whilst not adopted policy, are important material considerations applicable in considering the position of such schemes that are unable to meet the Council's full affordable housing requirement.
- 6.1.14 Despite the above, officer are happy to report that a minimum upfront affordable housing contribution of £100,000 has been negotiated to be paid before occupation of the 6th unit. In addition, agreement has been reached to put a deferred payment mechanism in place based on the sale values of the units. Whereby if the value of the residential element exceeds a total of £6.6m, then the Council will receive 25% of any extra proceeds in addition to the £100k capped at the cash equivalent of 30%. This will be assessed on the sale of the 18th unit. 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. All these affordable housing measures shall be secured at individual Heads of Terms within any S106 agreement should permission be granted.
- 6.1.15 With regard to those specific circumstances/abnormal applicable to this site, the above approach negotiated with the developer is considered positive and pragmatic, and realistically constitutes the maximum that can be secured. Therefore, whilst the current proposal would not secure the full 30% on-site as required by policy, any shortfall must be weighed against other material considerations, including the wider benefits of the scheme if the proposals are to be considered acceptable.

Other material considerations

- 6.1.16 As described above, the NPPF (2019) is an important material consideration in any determination. This Framework clearly identifies that planning should promote the efficient use and redevelopment of brownfield land. The NPPF also seeks to 'boost significantly the supply of housing' and deliver a wide range of homes, of different types and tenures.
- 6.1.17 At the heart of the Framework is the presumption in favour of sustainable development. The three overarching objectives to achieving sustainable development are defined as economic, social and environmental. The economic role requires proposals to contribute to building a strong, responsive and competitive economy. The social role requires planning to support strong, vibrant and healthy communities and states that it should create a high-quality built environment. The environmental role states that the natural built and historic environment should be protected and enhanced and should mitigate and adapt to climate change. In light

of the failure to comply fully with policy H3, there is a need to consider the proposal against each in turn.

- 6.1.18 The proposed development would clearly contribute to and encourage associated economic activity within the borough during the construction phase by directly sustaining jobs in the construction industry. In the longer term, future residents of 21 dwellings will undoubtedly contribute to the viability and vitality of businesses in London Street and the nearby Town Centre at a time where investment in town centres and High Streets is a council priority. Other related economic benefits include CIL contributions, the matters set out in the S106 Heads of Terms, as well as the award of new homes bonus payments to the Council. The development would therefore be expected to perform a positive economic role through its contribution to the local economy.
- 6.1.19 In terms of the social role, the provision of an adequate range of dwelling sizes and the maximum negotiated financial contribution towards affordable housing will ensure this site does as much as it can to meet the identified general and affordable housing need over the local plan period. In a part of town which has experienced a number of large office-to-residential conversions and PBSA schemes, the benefit of purpose-built well-designed dwellings will help to raise the quality of housing stock in this area. By reinstating a missing portion of the urban grain (the mews) the scheme will also provide much needed visual uplift to an area that has recognised problems with drug abuse and anti-social behaviour through better natural surveillance and activity, whilst reflecting the need to visually soften views through to the much larger Studios scheme to the rear. The development would also ensure continued provision of community facilities in an improved building in a sustainable location. The positive social roles of this development are therefore recognised.
- 6.1.20 With regard to the environmental role of this development, it is recognised that new purpose-built residential development would inherently meet an enhanced level of sustainability through compliance with the Council's enhanced energy efficiency and sustainability standards, through the efficient use of previously developed land, and the use of PV technology mounted to the roof. The introduction of significant on-site planting will help provide visual and environmental uplift to the site and the immediate area and confidently perform a far greater environmental role than it does as a car park at present.
- 6.1.21 In addition, the site's town centre location allows convenient access to sustainable modes of travel, positively reducing the needs of future residents to travel by private vehicle. This along with the reduction in on-site car parking spaces, electric charging points and the additional landscaping mentioned will help meet the Council's commitment to improving air quality for residents of the town and its obligation to mitigate and adapt to climate change. The development would therefore provide a positive environmental role when compared to the site's existing use as a car park and this is afforded considerable weight in the overall planning balance and.

Principle summary

- 6.1.22 In summary, the development represents a sustainable form of development compliant in principle with the development plan and which positively performs an economic, social and

environmental role. Overall, the principle of development is therefore considered acceptable.

6.2 Character and appearance of the area

6.2.1 The key Policy CC7 aims to preserve or enhance the character of the area in which a development is located. Policy CR2 'Design in the Centre seeks to secure appropriate relationships between buildings, spaces and frontages, specifically seeking to build on the existing structure of streets and places and provide high levels of access and connectivity into the centre and to the public transport interchanges. Policy CR3 requires proposals to make a positive contribution towards the quality of public realm in the central area of Reading. With regard to specific heritage implications, Policy EN1 (Protection and Enhancement of the Historic Environment) seeks to preserve or enhance the historic character and setting of heritage assets, whilst Policy EN3 (Enhancement of Conservation Areas) seeks to conserve and enhance the special interest, character and architecture of Conservation Areas.

6.1.2 The main considerations of this section based on the proposal are therefore:

- Impact on Heritage Assets
- Layout, scale and design

Impact on Heritage Assets

6.2.3 A Heritage Statement and corresponding Heritage Assessment has been submitted with this planning application and considered by the Council's Heritage consultant. The significance of identified heritage assets and the impact, if any, the proposed development would have upon their significance and setting has been considered in accordance with Policy EN1 of the Local Plan.

6.2.4 Following pre-application advice provided by the Local Planning Authority and extensive engagement with both the Council's Heritage Consultant and Conservation Area Advisory Panel, the changes proposed to 43 London Street were altered from its complete demolition to its retention and redevelopment of upper floors to accommodate the necessary residential conversion and green roof.

6.2.5 The site is located within Area 1: London Street, south of the IDR and has medieval origins. Nos. 49-53 London Street are Grade II Listed. 49-53 along with 37-39 & 41 London Street are the buildings most likely affected by any works to the frontage on to London Street. No. 43 is located between these buildings and identified as buildings of Townscape Merit within the Conservation Area Appraisal (2007).

6.2.6 The proposal includes restoring the existing façade to the original brickwork, removing the white paint and making good the brickwork. As described above, the front elevation would be extended by the addition of an extra storey, in a matching style to the brickwork with a parapet, but importantly remain below the height of the adjacent Listed properties, thereby maintaining the historic subservience and relationship. The proposed roof extension to the building would also be set back from the street and include a 'green' balcony on the top level. The CAAC express support for this part of the scheme in that it makes a positive use of the space available. At lower levels, all non-original shopfront joinery and 1st floor

window would be removed and replaced with new timber framed sash style windows above a new shopfront which is considered much more sensitive and historically appropriate to the Conservation Area. This part of the scheme is not considered to harm or detract from the buildings status as being of Townscape Merit.



Figure 4 - London Street frontage, existing and proposed (Taken from Design and Access Statement)

- 6.2.7 The addition of the two-storey matching brickwork extension with parapet is in-keeping with character of the area and those identified Listed Buildings adjoining. Therefore, the retention and restoration of the façade to No. 43 London Street and roof extension is recognised as being a positive benefit reinforcing the historic significance and evolution of the building and immediate area.
- 6.2.8 In considering the impact of development to the rear of No.43, the importance and weight given to the significance of local heritage assets (in this case views into and out of the site from the east) has altered quite significantly since the approval at appeal and the subsequent construction of the Studios scheme.
- 6.2.9 The existing poor-quality infill building at 43A and the associated car park area would be replaced with a new residential infill in a linear Mews style. This is acknowledged to continue the historic pattern of houses found in Sims Court and re-introduce a style of dwelling largely cleared during the last century in favour of car parking or lower density detached forms of development.
- 6.2.10 The proposed scheme effectively reinstates built form and the urban grain into Sim's Court where it once existed, albeit in a contemporary format. Whilst at a density commensurate with the inner urban location and form, the reinstatement of mews style housing is an entirely appropriate and original design response to an historically constrained back street site. This approach also presents the Council with a valuable opportunity to re-purpose an existing car park (which may otherwise have remained heavily compromised by the approved student accommodation) for reversion to much needed housing.
- 6.2.11 The proposals are recognised as providing significant public and heritage benefits by considerably enhancing the site, the setting of listed and locally listed buildings and the Conservation Area through the creating a more 'traditional' and more domestic visual

termination than the much larger and intuitional Studios scheme when approaching east along Sims Walk from London Street.

- 6.2.12 By replacing an existing poor-quality building (43A) and part of the existing car park to the rear, the proposed Mews building provides a repurposed sense of place and in accordance with the supporting text of the Local Plan, respects the heritage significance of its surroundings - namely the scale and character of the Conservation Area. The CAAC are supportive of the principle and appearance of the mews subject to the further materials detailing as part of specific planning conditions and likewise no objection has been raised by the Council's Heritage consultant.
- 6.2.13 Finally, in identifying whether there is any harm to key views within the Conservation Area, it is necessary to define the extent to which public views are attainable through, within or towards the site. The Conservation Area Appraisal shows the two relevant 'key views' - north along London Street and South along London Street. The only other view (not listed) is from East Street looking west towards the recently constructed Studios scheme. Having looked at such views carefully, Officers do not consider this to be a particular 'key view' given its limited extent and heavy influence by large commercial scale buildings, including the constructed Studios scheme, which almost entirely obscures the application site from the west. The only presence this proposal has from any recognised 'key view' is the part facing London Street, which Officers and consultees have widely accepted as being an enhancement over the present situation.
- 6.2.14 In conclusion, both elements of this scheme at 43 & 43A London Street site will preserve the setting of Listed Buildings to the London Street frontage and preserve and enhance the character and appearance of the Market Place/London Street Conservation Area. The Council has therefore satisfactorily discharged its duties under S.66(1) and S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed scheme is consistent with the urban design and heritage policies of the NPPF and Local Plan.

Layout, scale and design

- 6.2.15 The overall approach to the design of this scheme has heavily influenced by officer, design review and local interest group engagement at pre-app stage through 2018 and 2019 and was required to evolve to the changing context as a result of the allowed appeal at the Studios scheme.
- 6.2.16 As discussed in the above section, the overall mews layout is consistent with the existing and historic pattern of development to the rear of London Street. In its simple form, it represents a new urban block holding the southern edge of the site along Sims Walk. It adjoins the existing largely blank façade of London Court to the south, allowing the new dwellings to have front garden/terrace areas facing north. These will be enclosed by stepped brick walls with the front of the mews housing having projecting bays, and a recessed glazed stairwell.



Figure 5 - Sketch view showing roofline and eastern end of the scheme (Taken from Design and Access Statement) Note - Lift core amended see fig 3.

6.2.17 In terms of scale, this part of the proposal remains subservient to the more traditional pitched roof line of London Court to the south, increasing in height where appropriate to do so in design terms, particularly where the site adjoins the new Studios scheme. The principle and design of a continuous building to the south was considered by the Design Review Panel to perform well, along with the now altered easternmost section which would successfully terminate views along the mews before the constructed Studios scheme. The rhythm created by the linear mews was considered by the DRP to be a positive aspect of this scheme (see proposed elevations).



Figure 6 - View up Sims Court eastwards (existing photo and proposed sketch) taken from Design and Access Statement

6.2.18 Of note is the taller eastern terminating part of the mews responding to the enlarged Studios scheme. This allowed the central part of the scheme to be effectively reduced in scale allowing a break to be provided between the eastern and western sections of the mews to form a usable and attractive courtyard (Sims Court). This allows occupants in opposing flats at the centre of the scheme greater access to natural light and those few existing north facing windows to the side elevation of London Court to be successfully accommodated into this proposal.



Figure 6 - Existing windows at rear of London Court facing car park



Figure 7 - Proposed sketch view of north (rear) elevation of London Court and new 'Sims Square'

- 6.2.19 The usable balconies and courtyards provide a good level of amenity for the style of housing proposed. The chamfered bays provide welcomed rhythm to the design allowing more access to daylight than say a more traditional mews arrangement (as exists opposite at the RISC offices), although obscure glazing is required in places to maintain acceptable levels of privacy. This will be discussed later in the report.
- 6.2.20 The upper floor of the eastern-most part of the scheme will accommodate a maisonette set back from building perimeter. This would have a distinctive curved enclosure on south side to widen the gap to the Studios scheme forming a 'rotunda' feature at top of the building. This takes its inspiration from the existing rotunda style feature which exists at East View Place to the southeast of the site. This nearby building can be seen in the top corner of Fig 5, whilst the rotunda's overall design is appreciated from an aerial view to the south in Fig 15. The proposed material palette would include a mixture of brickwork, render and timber cladding to reflect the traditional detailing of the surrounding buildings in Sims Court, yet in a contemporary style which meets the Local Plan strategy for Central Reading in creating a 'distinctive' high quality environment. Such specific details are appropriate to secured via condition.
- 6.2.21 The roof garden at 43 London Street and the landscaped terraces to the northern and eastern elevation of the scheme (139m² in total) successfully replicates the character already introduced by the highly valued communal roof garden of the RISC building. Replicating this approach through the development where possible, allows the scheme to transform an area dominated by hard surfacing. The scheme's design approach therefore reinforces the positive natural and landscaped elements which already exist in proximity to the site.
- 6.2.22 In summary, the overall design approach to the building's features and materiality is considered to successfully take influences from the existing urban grain of the area, whilst allowing a distinctive building to be brought forward which will undoubtedly add to local interest, draw out positive existing natural features and respect the area's heritage. The layout, scale and design of the proposal is therefore considered acceptable subject to relevant conditions.

Sustainability/energy

- 6.2.23 A Sustainability Statement and BREEAM pre-assessment estimator has been submitted in support of this application. These demonstrate that the minimum requirements for a BREEAM Very Good rating for both building types can be met. The principles of Reading Borough Council's sustainable Design and Construction SPD (2019) can also be met by the higher energy and water efficient requirements proposed within the overall design, thereby achieving this overall BREEAM Very Good rating. Of note is the intention to make use of on-site efficient energy generation using a Photovoltaic (PV) array on the uppermost south facing roof slope of the new-build portion of the development. Full details of this and green roofs will be secured through appropriately worded planning conditions. In addition, the proposed development is also required to comply with the current Building Regulations Approved Document Part L1A, which is managed independent of the planning system.
- 6.2.24 All new build homes need to comply with the higher water efficiency standards required by the updated Building Regulations of 110 litres per person per day. The proposal specifically includes water efficient Dual flush WCs, showers with efficient flow rates and garden spaces

and incidental landscaping that will not require permanent irrigation systems or to be irrigated using treated rainwater. This approach to water resource complies with Policy H5 of the Local Plan and will be secured via relevant conditions to ensure the proposal fulfils wider updated sustainability obligations as required by Policy CC2, CC3 and EN16.

Landscape and ecology

- 6.2.25 The proposal is accompanied by an ambitious Landscape Strategy. The proposal would substantially enhance the level of greenery simply through planting along Sims Court and adjacent to the eastern site boundary via a series of landscaped terraces. Of note is the creation of a new c. 50 sqm inner courtyard garden where undesirably at present vehicles park directly adjacent to bedroom windows. This would provide an additional gated amenity space for residents and an opportunity for meaningful landscaping proven to be effective in similar relationships and would be in addition to the landscaping opportunity provided for by the numerous private balconies and terraces included within the scheme. In addition to the above, green and brown roof areas (totalling 140sqm) is proposed at roof level in order to provide increased biodiversity and rainwater retention. The Council's Natural Environment Officer has considered the proposal and raises no objections subject to standard landscape conditions being attached.
- 6.2.26 The Council's Ecologist has considered the proposals and notes that demolition is involved of structures which contain features suitable for use by roosting bats. Government guidance makes it clear the need for the presence or otherwise of protected species and the impact upon them to be established before the planning permission is granted. Covering such matters via planning condition after the grant of consent should only be explored in exceptional circumstances. The surveys would not be able to be carried out until May 2020 at the earliest (with possible implications for the delivery of the site), but suitably worded conditions could be used to prevent pre-commencement until such surveys (and mitigation) is completed, on this occasion.
- 6.2.27 Finally, the provision of a landscaped courtyard, alongside significant greening of the site and its perimeter is considered to substantially enhance the biodiversity and ecology value of the site given its current condition as a car park without any form of natural greenery.

6.3 Residential amenity

- 6.3.1 Policy CC8 (Safeguarding Amenity) in the Local Plan sets out the various ways in which amenity could be negatively affected and a summary of the various impacts, with reference to the policy, are set out below.

Privacy and overlooking

- 6.3.2 Whilst the overall design of the development has been informed by pre-application, design review and stakeholder engagement, including that of adjoining landowners, there is a need to carefully consider the impact this development would have on both neighbouring occupiers in terms of privacy and overlooking, but also the impact that users of surrounding buildings will have upon the future occupant of this development.
- 6.3.3 The mews typology itself emerged through pre-application discussions as a way of maximising the limited separation between existing buildings and the scheme. The innovative use of

chamfered windows to ensure no direct overlooking has heavily informed the overall external appearance of the building, so too has the use of obscure screened on parts of the terraces.

RISC offices

- 6.3.4 Directly opposite the development along Sims Walk is the RISC offices. These are located within an historic timber clad part of the original mews. The case officer has visited the RISC offices and viewed the site from a number of available first and second floor windows. Whilst the internal arrangement and use of RISC offices means that many windows are either obstructed internally or unable to be approached because of office furniture, the adjoining application site would undoubtedly be visible when looking from these windows opposite. Those views attainable would not be any more harmful than views already attainable to 43A, the upstairs windows of 43, or a across mews arrangement of comparative proximity.



Figure 9 - View west along Sims Court (RISC offices to the right)

- 6.3.5 Whilst the RISC office is not considered to pose any harm to future occupants of this development, the oblique angled views created by the chamfered bays, location of the habitable living spaces, and the occupants discretion to use any internal screening, allows the amenity of future occupant of the development to be protected in the event the RISC offices be converted to residential in future. The design of the development takes into account any views attainable from this neighbouring building, whilst 5m - 5.5m physical separation exists, a separation of 7-8m would be attained through the use of chamfered bays. Figure 10 below shows a comparative angle and distance to the upper floor of 43A which occupies a similar set back to the proposed scheme.



Figure 10 - View west from the second-floor window of RISC offices along Sims Walk



Figure 11 - View east from the second-floor window of RISC offices along Sims Walk

London Court

- 6.3.6 London Court is a former industrial building located to the southern boundary of the site. It was most recently converted into flats from offices using the prior approval process. All London Court flats have south facing entrances and windows providing access to primary levels of natural light, unless rooflights are provided on upper floors. The conversion of this building has resulted in a number of substandard internal arrangements (which were unable to be controlled by Officers) which has had design implications for the current proposed development.
- 6.3.7 The building contains 4 windows on the north elevation at various heights serving three separate flats. The odd arrangements and size of these windows are as a consequent of the physical limitations of the subdivision and the buildings historic non-residential use. The three properties in London Court that have windows facing north onto the car park were made available to the case officer to inspect internally



Figure 12 - South elevation of London Court



Figure 13 - Existing windows to the rear elevation of London Court

- 6.3.8 All three properties are compromised in variety of ways. The lowest of the four windows (see figure 13) serves a bedroom (window 1). Currently this window has no outlook or ability to be opened without a safety issue for the occupants. Because of its location directly next to the parking area, it provides very limited amenity for the occupant during daylight hours. The development would result in window 1 being located to the centre of Sims Square (see Figure 7). This new courtyard area would create a landscaped and secured area directly outside of this (and other windows), thereby fundamentally improving the ability of this window to not only provide natural light, but ventilation and outlook too.
- 6.3.9 The two small windows directly above this (windows 2 and 3) are unusually located low down at floor level within the flats that they serve. Window 2 serves the northern side of an open plan living/kitchen area and window 3 a bedroom. When standing in the living room, a downward north facing view of the car park is possible from window 2. Both windows have very limited amenity value, except to provide natural ventilation. The proposed development would improve this function by the removal of the car park and by providing more natural light and improved outlook.
- 6.3.10 Finally, window 4 is much larger, and like the others appears to be permanently obscured internally to prevent any views in or out. This window is located directly next to the pedestrian rear entrance of the former office use in 43A (See Fig 12 above). The development would result in a much more domestic and appropriate relationship between window 4 and surrounding uses, thereby removing the serious safety issues posed by the existing arrangement. Whilst the internal configuration of this flat is unknown, like window 1 the occupier will have a much more pleasant outlook and the ability to begin using this window for ventilation and outlook within the relative safety of the newly created Sims Court should they so wish.



Figure 15 - Aerial illustration of eastern part of the scheme when viewed from the south.

Noise and disturbance

- 6.3.15 The Council's Environmental Protection Team have considered a noise assessment submitted with the application. This assessment proposes the use of suitable glazing and acoustic trickle vents. However, as identified in the consultee comments section, this assessment does not clearly predict internal noise levels, identifies mechanical plant in the vicinity which was not in operation at the time of the assessment, and most importantly, not included noise from RISC café/bar as there were no events planned in on their calendar.
- 6.3.16 The RISC café/bar is a popular community-based café and bar next door to the site which frequently puts on live music, DJ sets, film screening and community events. As a charity, RISC is an important part of the town's cultural, ethical and environmental movement and the café/bar a popular part of the night time economy. As a recognised community facility and entertainment venue of considerable value, there is a distinct need to ensure that future occupiers of this development are able to suitably co-exist.
- 6.3.17 In this regard, the application has triggered the 'Agent of change' principle. This principle is a successful means of protecting such venues from unnecessary closure. Local authorities have traditionally been required to act upon complaints from residents in new developments over noise levels from established music venues in the area in which they are located. Along with the 'office to residential' prior approval process, this has been cited as a major factor across the country in the large numbers number of venue closures in recent years.
- 6.3.18 The principle holds that the person or business responsible for the change must also be responsible for managing the impact of the change. This would mean that the developer of this new residential development near the existing RISC venue is required to include appropriate noise attenuation measures for future occupants to manage the existing noise

generated from that venue. This position is held irrespective of how long the 'nuisance' has existed, historic instances of the same noise being a nuisance, or whether someone has moved into the vicinity of the noise in full knowledge of it.

6.3.19 In light of the above, it is particularly important that the developer undertake further investigation into this nearby use, understand how often events are held and how loud they are. This would allow the LPA to ensure that any relevant noise attenuation measures are able to be put in place prior to occupation and maintained thereafter. In addition, a condition will make it the responsibility of the landowner to make prospective occupiers aware of the current relationship to this nearby venue in order to prevent noise complaints from resulting in the imposition of overly restrictive restrictions on the RISC venue.

Daylight, sunlight

6.3.20 The application was accompanied by two reports considering the impact of the proposed development and the daylight and sunlight provision to the new flats. The Council commissioned the Building Research Establishment (BRE) to evaluate these reports. It should be noted, the BRE's assessment of these reports was based upon the initial proposals, before the revisions listed in paragraph 2.4 were received. The consequence is that the BRE have made a detailed assessment of a much 'less desirable' and larger version of the scheme than assessed in this report.

6.3.21 The primary document used to consider daylight and sunlight is BRE Report BR 209 '*Site Layout Planning for Daylight and Sunlight, a guide to good practice*'. This guidance is advisory in nature and is intended to assist with good design and the BRE recognise that there is no formal requirement to comply with the advice it contains.

6.3.22 In first considering the loss of daylight to existing properties, those assessed would be well within the guidelines in the BRE Report for all of the existing properties considered except those three flats served by window 1 - 4 in the north elevation of London Court. These windows would have losses outside the guidelines in the BRE Report. As discussed already in this report, London Court stands on the site boundary and unusually these windows are dependent on daylight across the application site to the north. If the development were to have the same relationship with the boundary as London Court, the windows would receive no light at all. Furthermore, given the units were created via an office-to-residential conversion, this process did not allow for any assessment of daylight to future occupant to be considered by the Council. It is therefore reasonable to apply some flexibility to any loss, provided the rooms are left with an acceptable level of daylight. One of these windows would retain levels not far below the standard recommended by the BRE. The other three are more typical of windows which already experience substantial levels of obstruction from other buildings. The BRE referred to the fact that significant changes in the design would be needed to reduce the impact of the development on these properties.

6.3.23 Changes sought by your officer to improve this situation were the enlargement of the courtyard area forming the new 'Sims Square' to maintain comparable levels of daylight and outlook from existing rear London Court. At ground level within the square, where vehicles currently park directly up against this wall, blocking light and outlook (see Fig 13), a new landscaped courtyard would now exist, maintaining privacy and gates providing security (Fig

7 and 16). Fig 16 below shows the revisions made to improve the situation of these windows since the BRE comments made above.

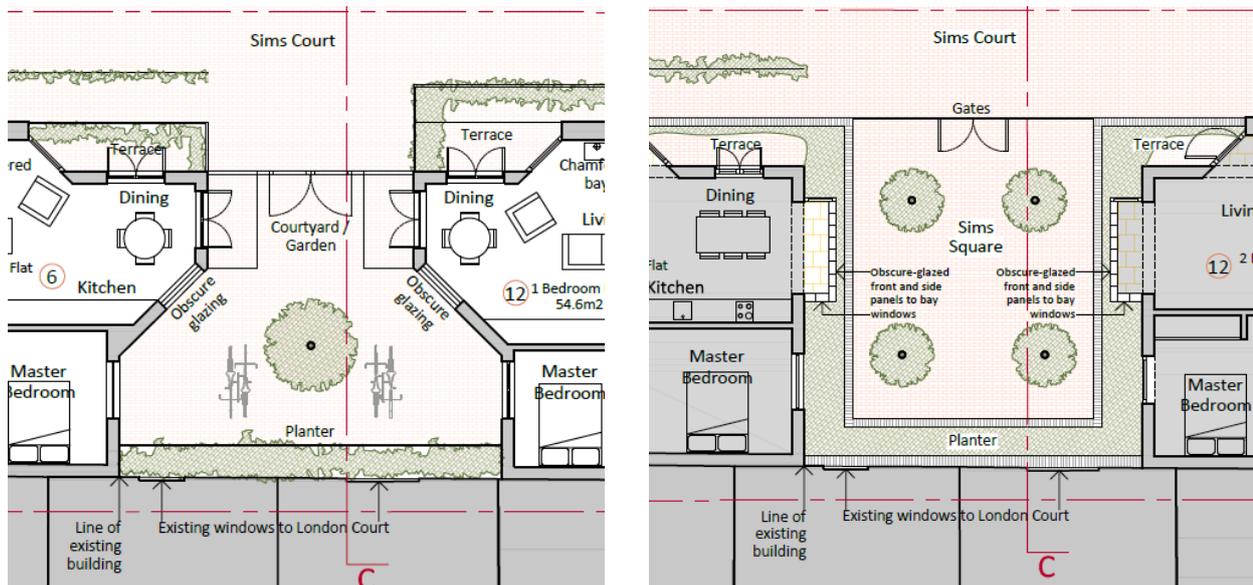


Figure 16 - Originally submitted Sims square configuration (Left) and revised Sims square configuration now proposed (Right) Not to scale.

6.3.24 The BRE also made the important observation that both of the flats at 3 London Court are currently listed online as serviced apartments. This being the case, they would be occupied for short periods of time rather than as a permanent place of residence. Whilst any subsequent change of use between serviced apartment and normal use as dwelling is unable to be controlled by the prior approval process which has occurred, officers have taken a more flexible view of daylight and sunlight to these windows.

6.3.25 The BRE noted that the consented Studios scheme adjoining the site to the east was not included in the loss of light report, but calculation data were provided on request. As this scheme is not yet constructed, let alone occupied, the BRE considered it reasonable to consider retained daylight and sunlight rather than loss, as occupants will not have the opportunity to become accustomed to the current levels. Furthermore, changeover in students each academic year would have the same effect meaning the amount of daylight they retain would be more important than any degree of change. The BRE note that the student rooms would already all be very poorly daylit due to their own design and be well below the recommended minimum. Below the top floor, the proposed development would reduce this substantially more. The rooms on all of the floors except the lowest would retain enough sunlight or would lose a small amount which would be within the BRE guidelines. 10 rooms on the lowest floor would retain an amount of sunlight below the recommended levels. Similarly, the garden would already be poorly sunlit on 21 March and would become worse. In summer it would be better sunlit, and the proposed development is considered to have very little impact.

6.3.26 Whilst a level of disagreement existed between the BRE and the developer's consultant's that the student accommodation would not have a reasonable expectation of daylight due to the poor daylighting afforded by its own design, calculations do suggest that the impact of the proposed development would be reasonable if the scheme matched the height and

dimensions of its neighbours. Like with London Court, BRE expressed the view that significant changes to the design would be needed to reduce the identified impact on the adjoining Studios Scheme. In this regard and as discussed, accepted revisions saw the north-eastern element of the scheme reduced and set back further south in line with façade of RISC building along the mews in order to widen gap to the Studios Scheme and the lift shaft lowered to reduce scheme on the (Fig 17 below).

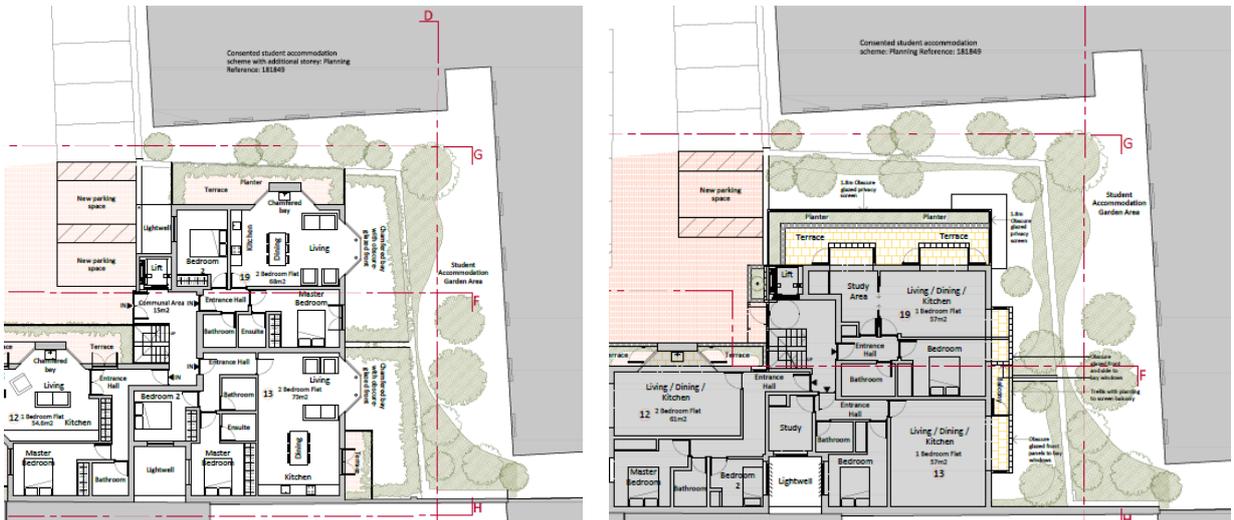


Figure 17 - Originally submitted ‘Studios relationship’ (Left) and revised relationship now proposed (Right) Not to scale.

6.3.27 Another revision secured by officers was the lowering of the existing retaining wall to the north and eastern boundary with the Studios scheme. Not only does this allow greater level of light penetration to lower levels it acts in an equally positive manner for the occupants of the Studios scheme living too.

6.3.28 In considering daylight and sunlight provision to the development itself. Five rooms in the proposed development (of 37 in total) would be poorly daylit; three bedrooms, one study and one study/bedroom (treated as a study). One of these, a bedroom is so poorly lit as to be essentially non-daylit. These rooms all face onto lightwells which present a significant constraint to daylight. One such room, labelled a study, is not considered a habitable room given its internal size. Officers note that notwithstanding the primary purpose of bedrooms for sleeping, those rooms affected would not be the only or primary bedroom serving each flat. Occupants would continue to benefit from generous internal spaces and access to private outside amenity space. Regarding daylight to those other rooms without the constraint of lightwells, the BRE consider the level of sunlight to be reasonable.

6.3.29 The BRE recognise that the development has significant constraints on sunlight provision due to the presence of another building right on the southern boundary to the site. Given these constraints, the amount of sunlight received by the living rooms could be considered reasonable in the circumstances.

6.3.30 Therefore, in summary, the proposed development has been subject to a detailed assessment of daylight and sunlight impacts by officers and the BRE and further improvements to the scheme secured as a consequence. Whilst recognising there are rooms

within the development that would benefit from very little light, the proposed layout, scale and design is considered to ensure that the majority of future occupants can expect a reasonable level of daylight in such constrained circumstances. Furthermore, any impacts on adjoining buildings are considered within accepted guidelines.

Internal space

6.3.31 Policy H4 (Standards for New Housing) seeks to ensure that sufficient internal space is provided within units to maintain a good quality of life for residents of the Borough. However, Policy H4 only requires housing built outside the Central Area to comply with the Department for Communities and Local Government - Technical housing standards - 'nationally described space standards'. Nonetheless, this development provides internal space compliant with the 'nationally-described space standard. Furthermore, the layout, room combination and availability of multi-use study rooms within the one-bedroom units provide additional internal space for the use of occupants. In order to ensure the unit mix does not change later should permission be granted, it is considered necessary and reasonable to impose a condition securing the dwelling mix and number of bedrooms.

Private and communal amenity space

6.3.32 Policy H10 'Private and Communal Outdoor Space' seeks that proposals for residential development are provided with small but adequately usable private or communal amenity space in keeping with the character of similar spaces in the surrounding area. The immediate area is not characterised by low density development or private gardens. As such the development is recognised as having the opportunity to create a distinct sense of place through private landscaped terraces, courtyards and roof gardens. This replicates the character already instilled by the widely supported approach taken by the communal RISC roof garden. Whilst overlooked to varying degrees each property would benefit from either a private enclosed terrace (ground floor and upper ground floor), to more substantial balconies (to first-floor), whilst upper floors would have projecting balconies built into the bay windows columns. The larger family size units are located to the lower ground floor eastern elevation and benefit from private garden terraces at the same level as the adjacent student communal garden on the opposite side of the existing retaining wall. Above them smaller terraces serve flats at upper floors.

6.3.33 In terms of communal space, the new inner courtyard garden (circa 50 sqm), will be a gated amenity space exclusively for residents in addition to private projecting balconies and terraces provided for some residents. Whilst accepting the inner urban location and the fact that virtually all locations to the rear of London Street are overlooking each other to some extent, the proposed approach to amenity space provision is considered proportionality generous and supportive of comfortable urban living. The character generated by these amenity spaces is positively at odds with that set by the more aggressive office-to-residential conversions and the Studios scheme in the area. Officer do not consider it appropriate that this unplanned higher density living should stifle this site's approach to private landscaped amenity space provision. The scheme is therefore considered to be consistent with the aims of H10 of the Local Plan.

Deliveries, servicing and construction phase

6.3.34 Whilst residential properties in the vicinity may notice an increase in activity at the site through comings and goings, there is no indication that these impacts would be severe enough to have a significant detrimental impact on residential amenity given the existing character of the area.

6.3.35 Full details of the construction phase along with matter such as dust management will be secured through a comprehensive Construction Environmental Management Plan condition (CEMP) to protect nearby residents. The following matters are also appropriate to manage via condition:

- Hours of Working - construction and demolition phase
- Bonfires
- Bin storage - rats
- Details of bin stores'

Crime prevention and design

6.3.36 In the absence of any comments from the Crime Prevention Design Adviser (CPDA), Secured by Design (SBD) principles can be secured through a condition securing a Security Strategy to this agreed standard. Any recommendations received by the CPDA can be discussed in the Update Report.

6.4 Transport and access

6.4.1 The Council's Transport Team has looked carefully at this proposal and provided two rounds of consultation comments following the receipt of a Highway Response Note and Vehicular Swept Path drawings.

6.4.2 Vehicular access to the site is gained via East Street Side which runs along the east of the site. This would not change, continuing to allow access to other adjoining units and those existing parking spaces to the north which fall outside of the application site area. The application site currently encompasses in the region of 22 parking spaces located at the rear of the property. The proposals indicate that the development would result in a loss of all parking on the site, aside from a disabled parking bay retained at upper ground floor level.

Parking provision

6.4.3 The site is located within the Zone 2 (the primary core area) but is on the very periphery of the central core area which lies at the heart of the town. The site is within 250m of the Oracle shopping centre and multi-storey car park and within 500m of Broad Street with a range of shops and community services. London Street and the surrounding road network all have parking restrictions preventing on-street parking. A residents' parking scheme is in operation in East Street and within the surrounding residential roads.

6.4.4 In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide a parking provision of 1 space per 1/2 bedroom residential unit and 1.5 spaces per 3 bedroom residential unit. The Transport Statement indicates that the development would be promoted as car free aside from a disabled parking bay. This provision

falls short of the Council's current standards, however as the site is located in close proximity to the town centre, and the need to actively improve air quality and mitigate against climate change, this reduced provision is considered entirely acceptable given the inner urban location and excellent provision of alternative means of transport.

- 6.4.5 As is standard practice, the Council would ensure that the future residents of the properties would not be entitled to apply for a residents parking permit for the surrounding residential streets where parking is under considerable pressure. 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. This would be implemented via two specifically worded planning conditions.
- 6.4.6 The Council's Local Transport Plan 3 Strategy 2011 - 2026 and new Local Plan includes policies for investing in new infrastructure. This includes a network of publicly available Electric Vehicle (EV) charging points to encourage and enable low carbon or low energy travel choices for private and public transport. Policy TR5 specifically states that "*All new houses with dedicated off-street parking should provide charging points*". Whilst the development only provides a disabled parking space, the applicant is willing to provide EVC point for the new parking space to be secured by condition.
- 6.4.7 The proposals include 15 secure and sheltered cycle parking spaces located at lower ground level accessed via ramp. This facility is supported and deemed acceptable in meeting the Local Plan requirements in this regard.

Deliveries, servicing and refuse collection

- 6.4.8 The required refuse and recycling facilities are located on the lower ground floor level accessed via a ramp. Refuse and recycling for the commercial unit is located within a separate store. However, the Council's Waste and Recycling Team have advised that the refuse vehicles would not collect the bins from the proposed bin storage area as the walking distance is too far. The bins would need to be presented on London Street by the loading bay in front of the bus stop and removed from public highway after collection.
- 6.4.9 As bins left on the footway pose a hazard for blind or partially sighted people and may prevent wheelchair and pushchairs users from getting past, Transport Officers are not able to support refuse being collected from this location. The applicant has offered for refuse collection to be undertaken by a management company which will wheel the bins from the storage area to the existing bin location on collection day and then take the empty bins back to the storage area after collection. In order to prevent bins obstructing the footway for extended periods of time, the applicant is willing to employ a private refuse contractor to undertake refuse / recycling collection. This is the preferred option supported by the Council Transport and Council's Waste and Recycling Team and the specific details of which can be secure via a standard refuse and recycling condition.
- 6.4.10 The applicant has indicated that all deliveries will take place from the loading bay directly opposite the site on London Street. However, it is likely that supermarket /small parcel deliveries will aim to get as close as possible to the entrance of the residential flats. The applicant has stated that it would be possible for a delivery van to manoeuvre within the

parking area with the removal of one parking bay. This has been adequately shown via swept path plot in Appendix B of the submitted Highway Response Note.

6.4.11 There is existing public pedestrian access to the site, mainly from East Street. The access via Sims Walk from London Street is lockable but is generally left for open access and occupiers of this site have right of access with the owner of this gate. The intention is to retain the current arrangement as the alleyway from London Street is used by RISC staff and also for access to the rear buildings of this centre. Providing this access along a more formalised and secure route is also considered to provide an overall amenity benefit and will not reduce or affect existing levels of public access.

6.5 Other matters:

Flooding

6.5.1 The site is located within Flood Zone 1, having a low risk of flooding. The site currently comprises of hardstanding and as such the available approach to surface water management can be controlled to ensure that disposal is managed into the existing sewer network. It is also recognised that the provision of green/brown roofs will also increase water retention capacity on-site, providing an element of attenuation prior to discharge. The surface water drainage regime for the site can be controlled through the use of permeable hard surfacing materials, and drainage details secure via conditions. In light of the above Policy EN18 of the Local Plan is fully complied with.

Planning obligations and Community Infrastructure Levy

6.5.2 In addition to the affordable housing contribution and deferred payment mechanism secure by your officers, the proposal would be liable for CIL. The exact amount will be reported by officers in the PAC Update Paper.

6.5.3 A construction phase Employment Skills and Training Plan would be secured which identifies and promotes employment opportunities generated by the proposed development, or other developments within Reading, for the construction phase of the proposed development. Sometimes this requires a payment to Reading UK CiC, the Council's partner, to prepare the plan usually payable at least 1 month prior to implementation and index linked from the date of issue of planning permission. As such, the S106 will secure this in a flexible manner covering both options.

Equality Act

6.5.4 In determining this application, the Committee 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. 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 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

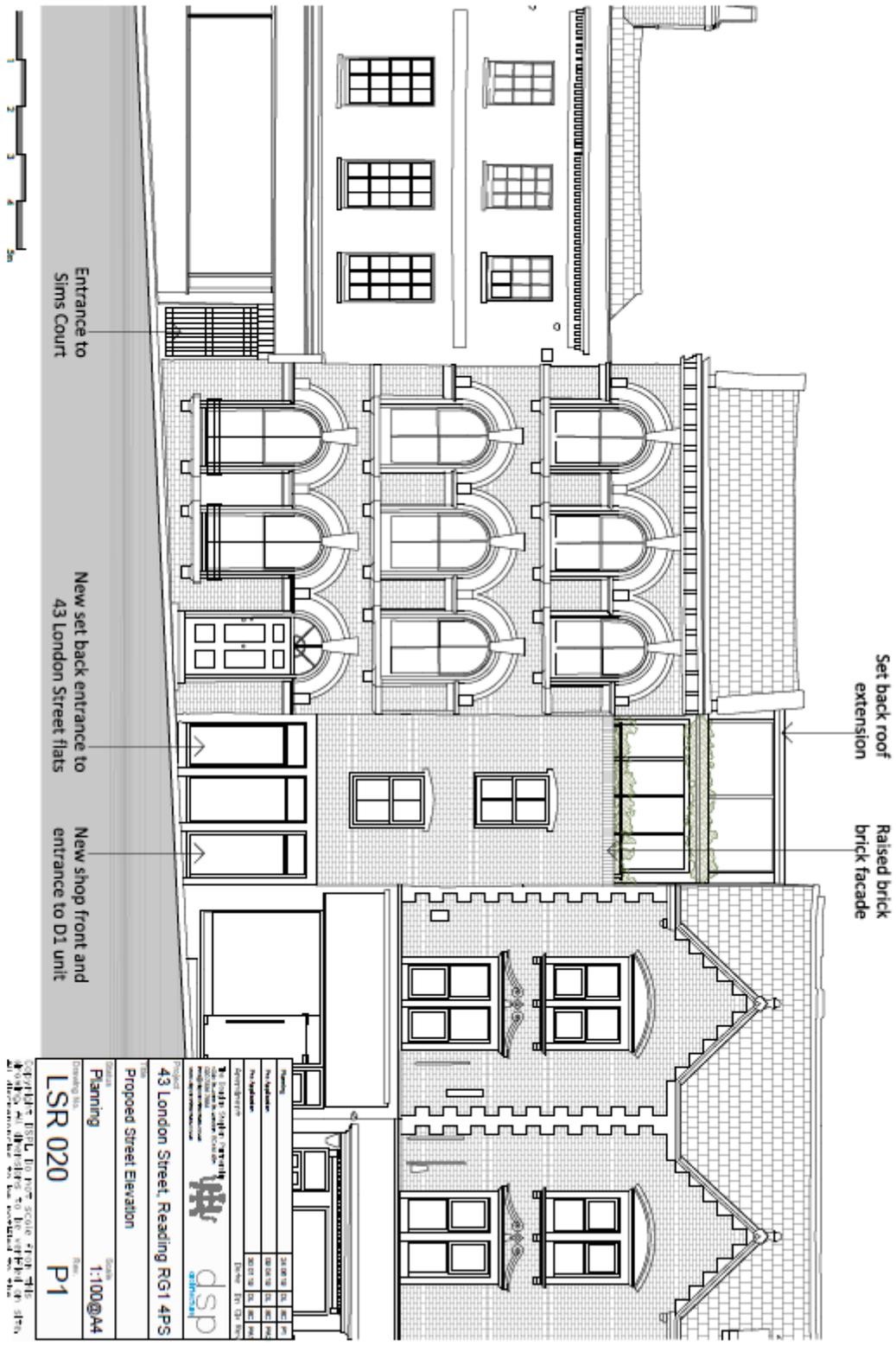
- 7.1 This proposal is not considered to result in the harmful loss of any existing use within either 43 or 43A London Street and is considered an acceptable location for new residential development. Whilst not significant, the provision of 21 flats as a windfall site would contribute towards the borough's annual housing targets. Based on the characteristics of the site, the overall dwelling mix proposed by the development is considered adequately justified in accordance with the requirements of the local plan. However, it is apparent that the current proposal would not secure the full 30% on-site as required, and therefore this shortfall must be weighed against other material considerations, including the wider benefits of the scheme.
- 7.2 In terms of 'other material considerations', the proposal would as a minimum, be expected to perform a positive economic role. However, uniquely, it would perform an important social role by reinstating a missing portion of the historic urban grain of the area (the mews) and provide much needed visual uplift to a car park which has recognised problems with drug abuse and anti-social behaviour. Finally, through the efficient use of previously developed land, significant on-site planting, creation of a new visually pleasing courtyard and the use of PV technology mounted to the roof, the proposal a much needed visual and environmental uplift to the site and perform a far greater environmental role than it does as a car park.
- 7.3 In considering the heritage implications, both elements of this scheme at 43 & 43A London Street site are recognised to preserve the setting of Listed Buildings and enhance the character and appearance of the Market Place/London Street Conservation Area. The overall design approach is considered distinctive and pleasing, adding to local interest, whilst softening views from within the historic alleyway to the Studios scheme. There are less than desirable aspects to the proposal, notably the fact that a number of rooms within the proposal will not benefit from the levels of daylight one would ideally expect, however, such relationships are not unusual and are reflective of the site's inner urban location.
- 7.4 Adequate planning conditions and implementation of agreed details can ensure transport, environmental protection and drainage matters can be adequately dealt with, whilst CIL liability and the planning obligations under the S106 to secure some affordable housing contribution are considered satisfactory outcomes.
- 7.5 In concluding what is a complex and finely balanced case, the identified social, heritage and environmental benefits of the scheme are considered to outweigh, albeit marginally, the shortfall in affordable housing and the identified less than ideal relationships to certain nearby buildings. The application is therefore, on balance, recommended to PAC for approval subject to a legal agreement and conditions listed above.

Case officer: Brian Conlon

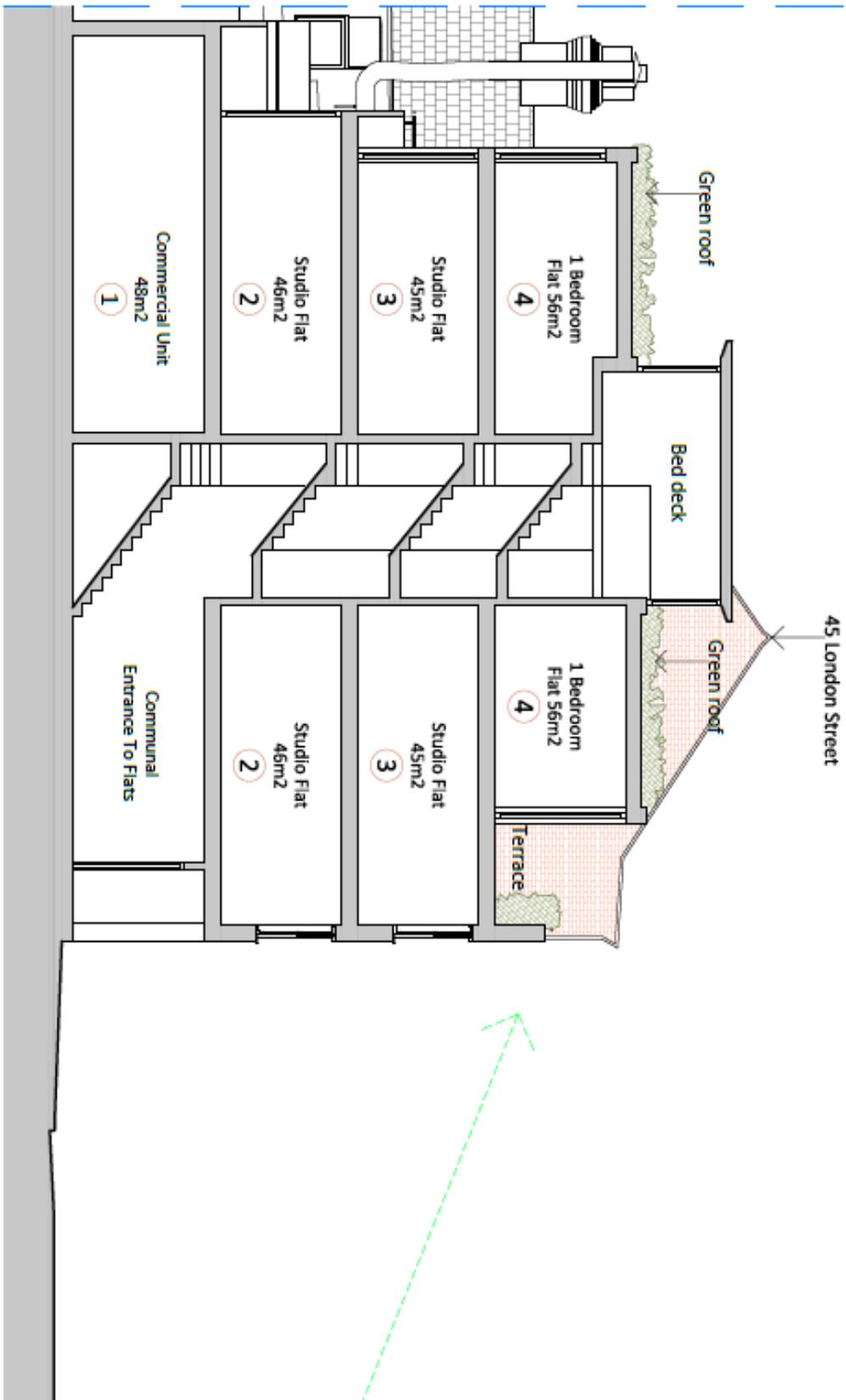
8. Plans:

A selection of plans are available below (Not to scale). Full sets of plans and documentation is provided on the publicly accessible planning file here:

planning.reading.gov.uk/fastweb_PL/search.asp



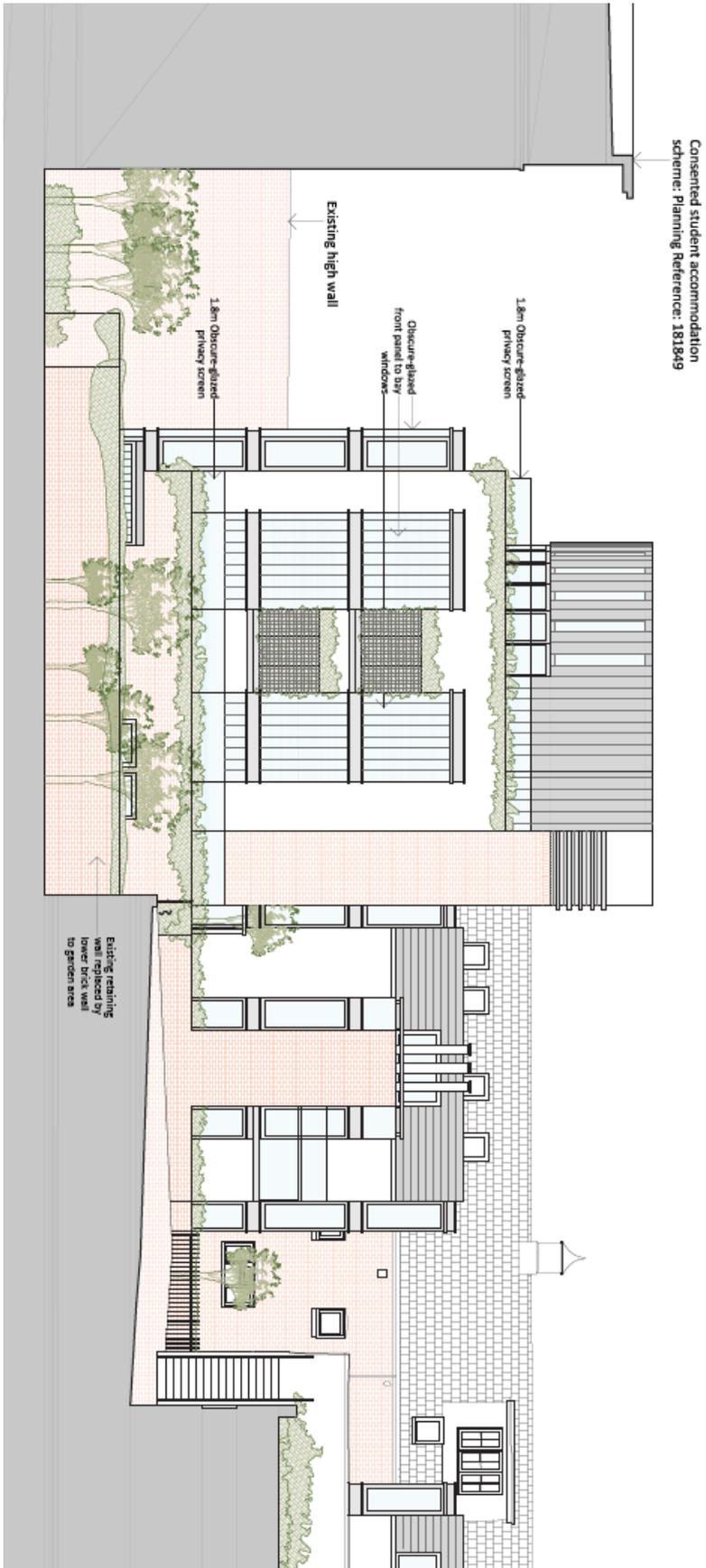
London Street elevation (Not to scale)



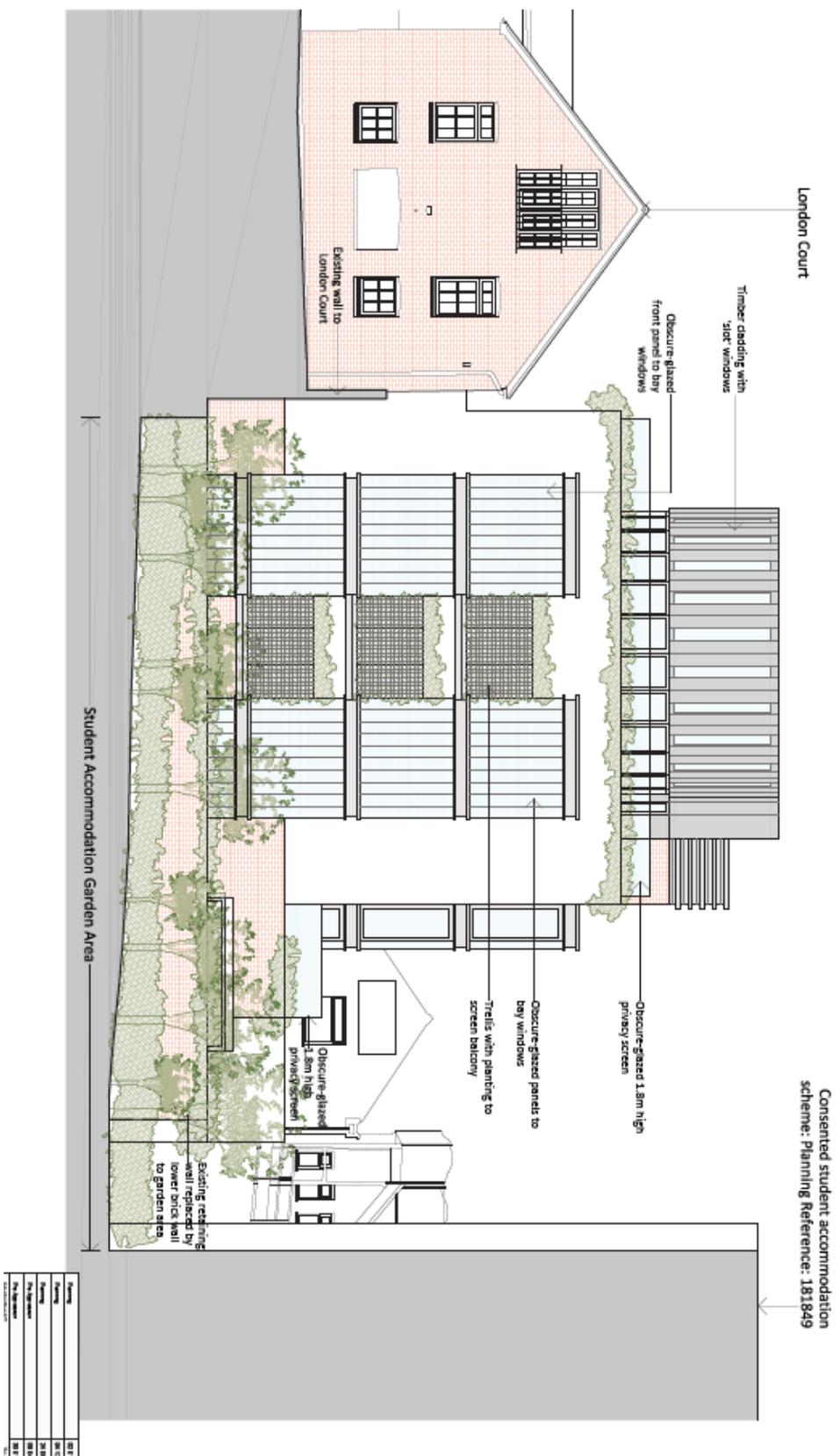
Section through 43 London Street (Not to scale)



North elevation along the proposed mews (Not to scale)

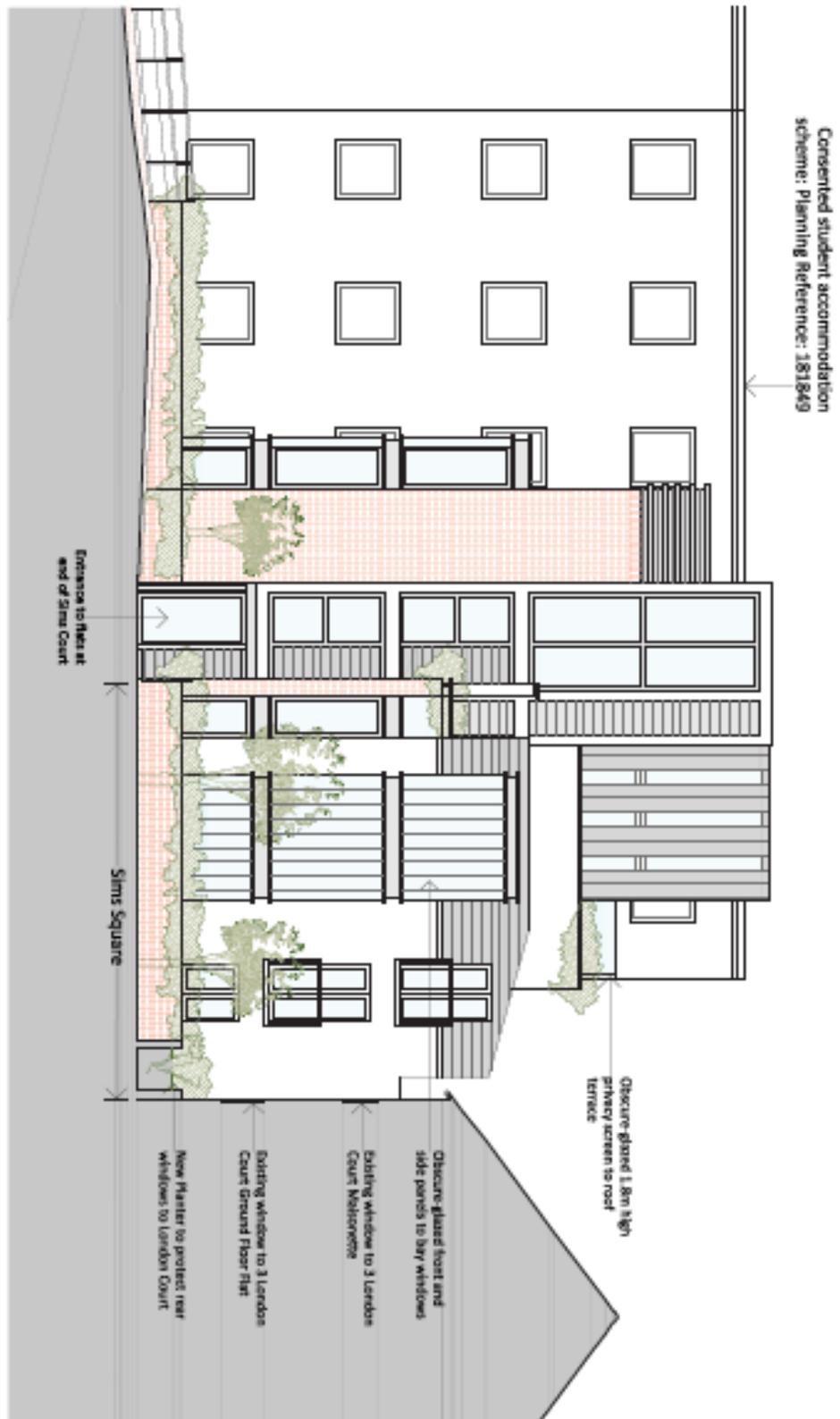


Northern elevation of eastern block (Not to scale)

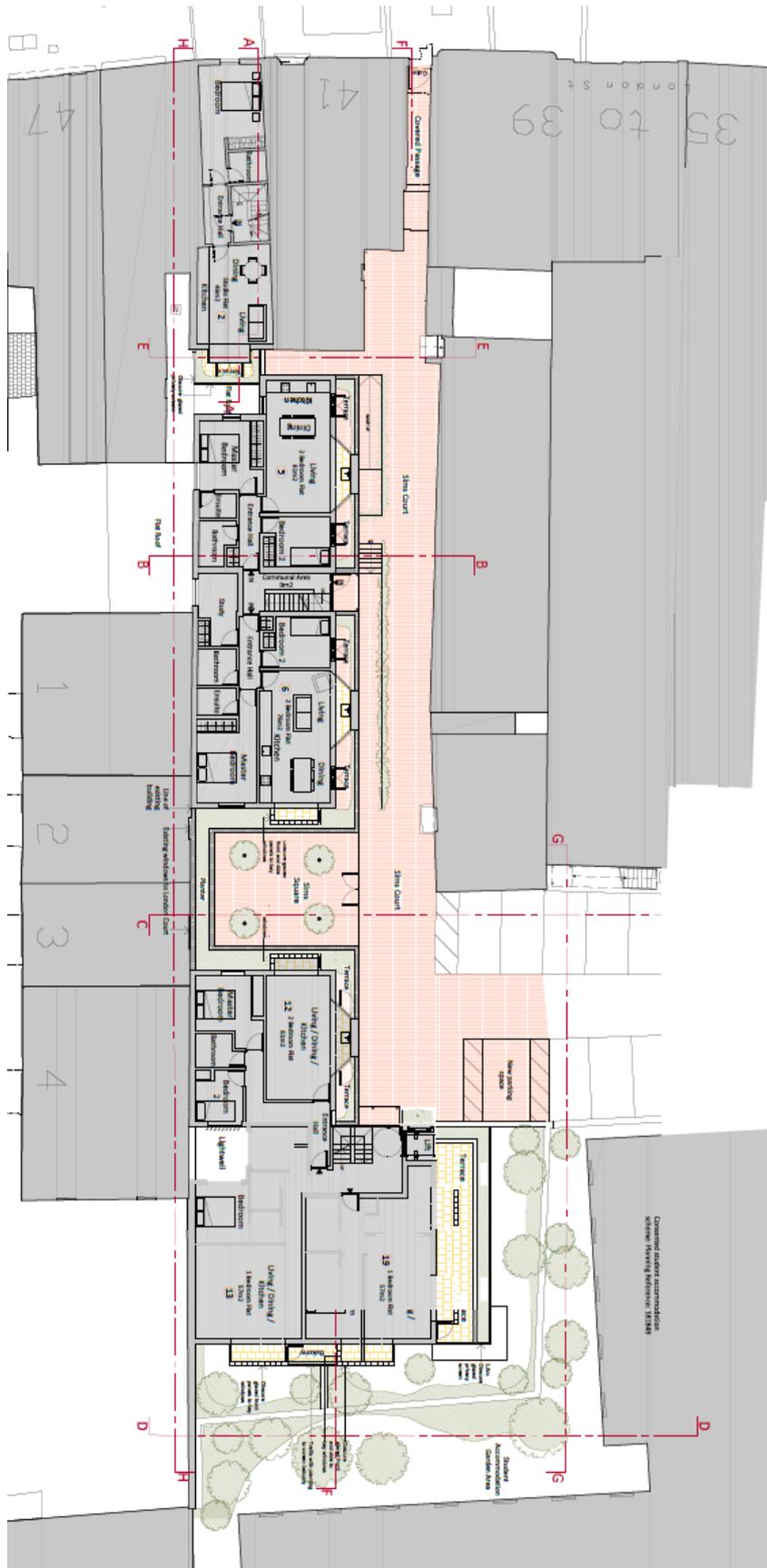


West elevation of eastern block (Not to scale)

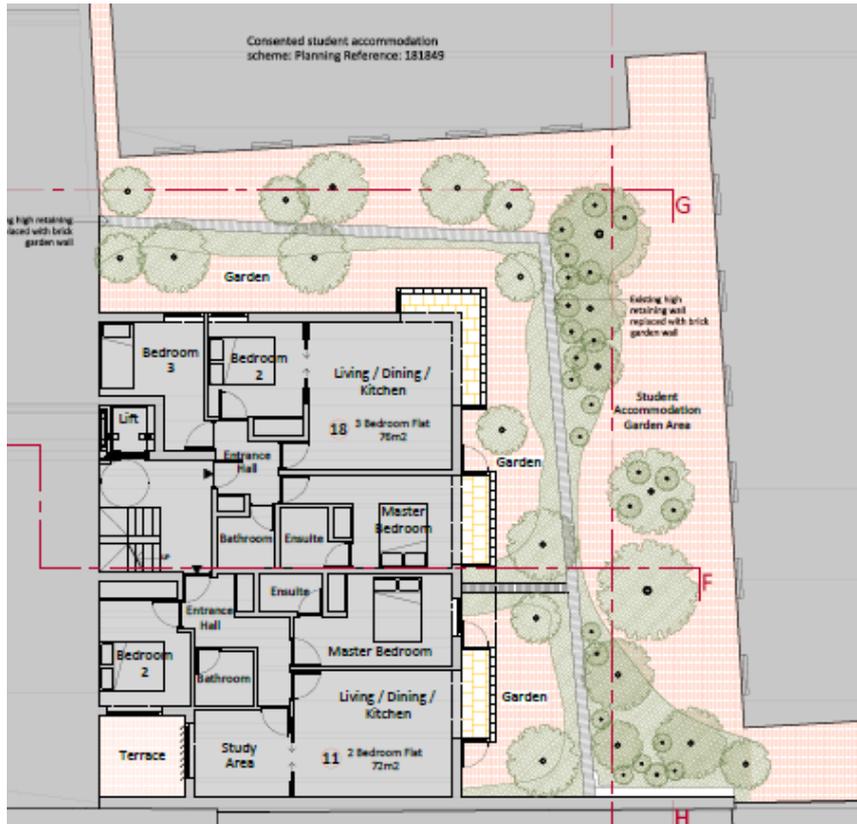
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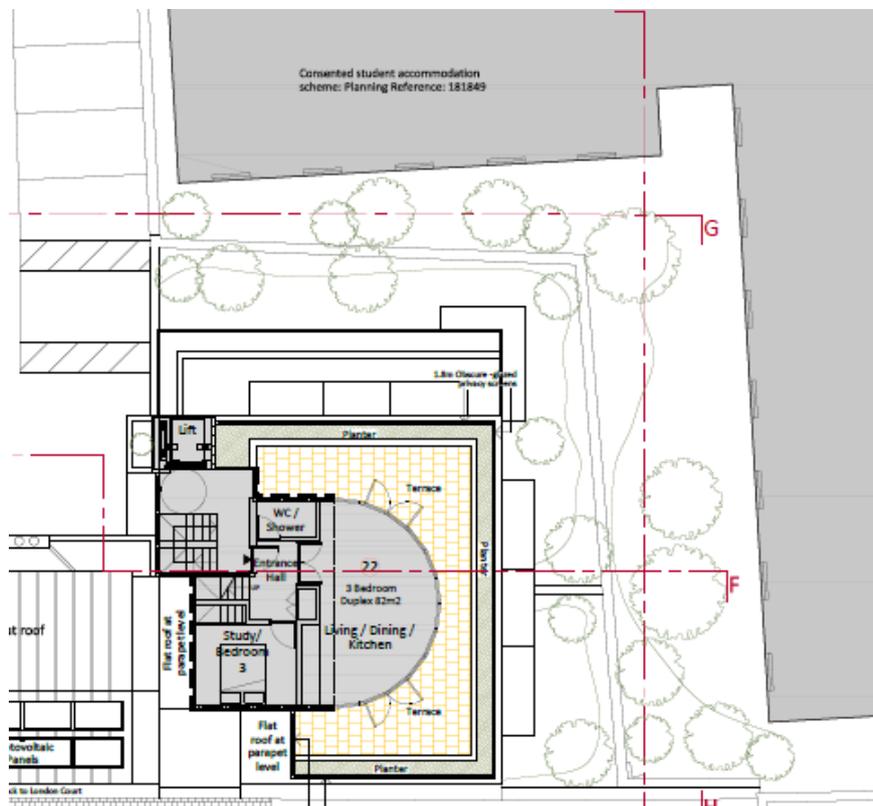
Western elevation of eastern block with Studios scheme behind (Not to scale)



Upper ground floor plan (Not to scale)



Lower ground floor layout adjoining Studios scheme (Not to scale)



Third floor layout adjoining Studios scheme (Not to scale)