

COMMITTEE REPORT

BY THE DEPUTY DIRECTOR OF PLANNING, TRANSPORT AND REGULATORY SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 3 June 2020

Ward: Battle

App No.: 191915

Address: 39 Brunswick Hill

Proposal: 2-storey side and 3-storey rear extension and conversion of dwelling to contain 8 flats (6 x 1-bed, 2 x 2-bed) parking, demolition of existing garage and associated works (amended description).

Applicant: Mr Eric Benjamin

Date received: 2 December 2019 (valid 10 December 2019)

8 week target decision date: 4 Feb 2020 (Agreed extension of time to 30/7/20)

RECOMMENDATION:

Delegate to Deputy Director of Planning, Transport & Regulatory Services to:

GRANT Full Planning Permission with appropriate conditions and informatives, subject to the satisfactory completion of a S106 legal agreement by 30th July 2020 to secure the following

- Provision of appropriate affordable housing contribution mechanism (subject to viability appraisal, full details to be provided in update report);
- 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;
- a Traffic Regulation Order (TRO) amount £5,000

OR

REFUSE permission should the S106 agreement not be completed by 30th July 2020, unless Officers, on behalf of the Deputy Director of Planning, Transport & Regulatory Services, agree to a later date for completion of the agreement.

Conditions to include:

1. Time limit for implementation (3 years)
2. Approved plans
3. Sample of materials to be provided prior to construction
4. Hard/soft landscaping scheme including boundary treatment
5. Landscaping implementation
6. Landscaping maintenance/replacement of dead trees
7. Biodiversity enhancements
8. Access control strategy in accordance with Secured by Design
9. Parking permits 1
10. Parking permits 2
11. Bicycle parking space provided in accordance with approved plans
12. Vehicle access provided in accordance with approved plans
13. Vehicle parking space provided in accordance with approved plans
14. EV Charging points (details to be provided)

15. Construction Method Statement (including noise and dust control)
16. Hours of Working - Construction and demolition phase
17. Noise assessment
18. Refuse Storage
19. No Bonfires
20. No change in unit mix
21. Sustainable drainage (to be approved)
22. Pre-commencement BREEAM 'Very Good'
23. Post-construction BREEAM 'Very Good'

Informatives to include:

1. Positive and Proactive Statement
2. Pre-commencement conditions
3. Terms and conditions
4. Need for Building Regulations approval
5. Construction nuisance informative
6. No Parking Permits
7. Highways
8. Building Regulations Approved Document E
9. Bats and work to roof
10. Community infrastructure levy (CIL)- Liable

1. INTRODUCTION

- 1.1 This application relates to the conversion of a substantial Edwardian detached house on the west side of Brunswick Hill, a residential road running north from Tilehurst Road. The site is 0.14 hectares, with a 25 metre frontage and 56 metre depth, equating to 1400 square metres in area).
- 1.2 Brunswick Hill slopes downhill from south to north and contains a variety of types and sizes of dwellings, though they are predominantly two storey. Opposite the application site is a gap in the street scene where the houses are set down at a lower level from the road. There has been some more modern infill in the road, including at number 35 adjacent to the application site.
- 1.3 Number 39 has a three storey gable on the front elevation and a two and a half storey element on its southern side. It is a grand property in a 'Queen Anne Revival' style and dates from the early Twentieth Century. Internally, the property is largely unaltered, although a previous application site visit in 2017 found evidence of informal subdivision to create separate accommodation over the basement and part of the ground floor.
- 1.4 There is a single storey detached garage on the northern side of the dwelling (probably original or of similar age to the property itself) and this is also in partially separate residential use as a dwelling/artist's studio, although there is no kitchen or bathroom, these facilities being shared with the tenanted unit in the basement/ground floor of the main house.
- 1.5 The property has a large rear garden that backs on to vegetated railway land, and beyond, the railway, which is sunk into a cutting at this point beyond the pedestrian access slope down to Reading West station. The subject property is the largest plot

within the immediate area, being nearly twice the width of the prevailing plots. The garden has a brick wall running down the North, East (front) and South sides and a wooden fence on its Western frontage towards the railway. The garden is a mature mix of lawn, vegetable garden and shrubs and some fruit trees.



Figure 1 - Location plan



Figure 2 - Site photo

2. BACKGROUND

2.1 This planning application follows a number of planning applications over the same site. The previous applications were for the full demolition of the existing building and replacement with a number of flats. The most recent planning application (190522/FUL) proposed the erection of a new building containing 9no apartments with parking at rear following demolition of existing buildings. This application was refused at Planning Applications Committee (PAC) for the following reasons:

1. The proposal would result in the loss of a Non-designated Heritage Asset that makes a valuable contribution to the street scene of Brunswick Hill. The development would result in the loss of original historical architectural features and introduce a new development which is out of keeping with the historic character of the street. The proposal does not therefore respond positively to the local context or sufficiently justify the loss of a non-designated Heritage Asset contrary to policies CS7 (Design and the Public Realm) and CS33 (Protection and Enhancement of the Historic Environment) of the Reading Borough Core Strategy (2008, as altered 2015).
2. The proposal would result in the introduction of 9 flats in a purpose built single building into an area predominantly characterised by individual family houses set in spacious plots. The scale and type of development is considered to respond insensitively to the immediate street scene and pattern of development by introducing flats into what is an area predominantly characterised by individual houses. This is contrary to policies CS7 (Design and the Public Realm) of the Reading Borough Core Strategy (2008, as altered 2015).
3. In the absence of a completed Section 106 legal agreement/unilateral undertaking, to provide a deferred affordable housing contribution mechanism and to provide for a Traffic Regulation Order (TRO) to amend parking restrictions in the Controlled Parking Zone on Brunswick Hill to allow the creation of a vehicular access, the proposal is contrary to policies CS9 (Infrastructure, Services, Resources and Amenities) of the Reading Borough Core Strategy (2008, as altered 2015) and policies DM3 (Infrastructure Planning), DM6 (Affordable Housing) and DM12 (Access, Traffic and Highway-Related Matters) of the Reading Borough LDF Site and Detailed Policies Document (2012, as altered 2015).

2.2 This proposal was refused at Planning Applications Committee in December of 2019 and the subsequent appeal against this decision was dismissed (appeal decision and previous plans appended to this report) with the principal reason being:

- Due to the scale of the replacement building and the complete loss of a heritage asset, that the proposal would harm the character and appearance of the area

2.3 Although not directly comparable, due to the proposal being amended, a number of design points noted in this appeal are considered relevant to the current proposal. Specifically:

- The building is still considered a non-designate heritage asset despite not being of significant heritage value to warrant local listing status (and its loss is not supported);
- The significant width of the proposal as viewed from the street;
- Bland appearance of the side elevations;
- Lack of interest in roof form;

2.3 This application has been called-in for Committee determination by the request of Ward Members.

3. PROPOSAL

3.1 This proposal seeks permission for the conversion of the existing dwelling to contain 8 no. apartments (6 x 1-bed, 2 x 2-bed) facilitated by a two-storey side extension, and 3-storey rear extension, with parking at rear, following demolition of existing garage.

4. PLANNING HISTORY

190522	Erection of new building containing 9 no. apartments with parking at rear following demolition of existing buildings	Refused at committee 4/9/2019 (Appeal APP/E0345/W/19/3237799 dismissed 23 January 2020)
171719	Erection of part two/part three storey building containing 10 no. apartments with parking at rear following demolition of existing buildings.	Refused 07/03/2018 (Appeal APP/E0345/W/18/3200081 dismissed 14 November 2018)
05/00886/OUT	demolition of nos 35-39 and erection of 4no townhouses	Refused 1/11/2005.
891317/891318	demolition of existing house and garage, construction of 10 flats with associated car parking	Refused 18/5/1989.

5. CONSULTATIONS

RBC Transport:

This application is for the conversion and extension of the existing property to form 9 no. flats. A previous application (ref: 190522) was refused by the LPA and dismissed at appeal on the 23rd January 2020. This proposal retains the existing and historically important parts of the building; with extensions proposed to the rear.

The site is located on the western side of Brunswick Hill which is in close proximity to frequent bus services travelling along Tilehurst Road. The proposals include 4 x 1-bed and 5 x 2-bed and 12 parking spaces.

The proposed flats will be accessed from Brunswick Hill via the existing access which will be widened to 4.8m to facilitate two-way vehicular traffic for a distance of 10m into the site. It should be noted that an access width of 4.1m would be acceptable (to facilitate two-way traffic).

A driveway is proposed on the northern side of the building, leading to a parking courtyard, comprising of 12no. parking spaces. The site is situated within a designated Resident Permit Holders zone and a permit holders only bay currently runs across the site frontage terminating just before the existing access. A shared use bay commences from this point across the vehicular access.

The proposed widening of the access would require changes to the residents parking and shared use parking bays. This process involves changes to the Traffic Regulation Order (TRO) which will require approval by the Traffic Management Sub Committee (TSUB) and will be subject to statutory consultation. Given TRO's are under separate legislation to the Planning Act there is a possibility they may not be approved. However, any costs associated with the changes to the TRO and on-street signage and markings would have to be paid upfront by the applicant before commencement on site. The costs associated with this process are in the region of £5,000 which should be secured with the S106 agreement.

Further, as illustrated on the site plan, the lamp column adjacent to the existing access would need to be relocated. The applicant should be aware that they would be liable for any costs associated with relocating the lamp column (separate to the costs associated with the changes to the parking regulations) and that these works should be undertaken with the Council's approved contractor SSE before the any works associated access is implemented.

The applicant should be advised 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.

In respect of parking provision, the development would be required to provide a parking provision of 1 space per 1-2 bedroom flat plus 1 space for visitor parking. The development provides a total of 12 parking spaces which complies with Council's adopted parking standards. The proposed parking layout is acceptable.

Reading Borough Council adopted the new Reading Borough Local Plan and its policies on 4th November 2019. The newly adopted policy TR5 relates to car parking, cycle parking and electric charging points and states;

TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING

Development should provide car parking and cycle parking that is appropriate to the accessibility of locations within the Borough to sustainable transport facilities, particularly public transport.

Development should make the following provision for electric vehicle charging points:

- All new houses with dedicated off-street parking should provide charging points;

- Within communal car parks for residential or non-residential developments of at least 10 spaces, 10% of spaces should provide an active charging point.

Therefore, the development must provision for a minimum of 2no. electric charging point at the time of build. This should be covered by condition.

Disabled spaces must be provided based on the level of units proposed for disabled persons. Can the applicant confirm whether any disability compliant units are provided as no disabled parking spaces have been designed into the scheme.

In accordance with the Council's Parking Standards and Design SPD, a minimum provision of 6 cycle parking spaces should be provided. The site layout provides for secure cycle storage to the rear of the building adjacent to the access road which provides convenient access.

The bin store is conveniently located at the front of the site which will provide easy access for refuse collection. However, the Council's Waste Management Guidelines for Property Developers states that the amount of bins needed for 9 flats would be a minimum of 2 x 1100 litre refuse bins and 2 x 1100 litre recycling bins for a fortnightly collection. Therefore, the bin store is not big enough to accommodate a total of 4 bins 1100 litre. The Council's Waste department should be consulted on the application for comment.

A Construction Method Statement will be required given the significant remodelling of the site proposed within this application. The proposed work should be in accordance with the Borough's Guidance Notes for Activities on the Public Highway. Before construction starts on site, the applicant must commence the TRO process which will aid the construction process.

In principle, there are no transport objections subject to the conditions below and S106 requirements.

RBC Planning Natural Environment Team

There are no objections to the tree removals as the trees are not significant specimens and the proposed landscaping includes replacements which mitigate their loss.

One of the trees to be planted will need to fulfil the requirements to replant a previously removed beech tree protected by TPO 105/05 removed in 2014. This will need to be another beech (*Fagus sylvatica*) planted as close to the position of the original tree as practicable to provide it with sufficient future space to reach maturity without interfering with access or light.

RBC Ecologist

The site backs on to a railway corridor, with connected gardens with trees to the north and south and a line of trees 40m southeast. Since the site is connected to habitat of good ecological value, in accordance with paragraph 175 of the NPPF,

opportunities for wildlife - including bird and bat boxes and wildlife-friendly planting should be incorporated into the development.

Overall, subject to a condition, there are no objections to this application on ecological grounds.

RBC Environmental Protection

Environmental Protection concerns

- Noise impact on development
- Noise transmission between dwellings
- Construction and demolition phase
- Bin storage - rats

Noise impact on development

As a noise assessment has not been submitted and the proposed development is by a railway line, I recommend a condition is attached to any consent requiring a noise assessment to be submitted prior to commencement of development and any approved mitigation measures implemented prior to occupation to show that recommended noise levels in the table above can be met.

The noise assessment will need to identify the external noise levels impacting on the proposed site.

Noise mitigation is likely to focus on the weak point in the structure; glazing. Given that the acoustic integrity would be compromised should the windows be opened, ventilation details must also be provided, where mitigation relies on closed windows. Ventilation measures should be selected which do not allow unacceptable noise ingress and should provide sufficient ventilation to avoid the need to open windows in hot weather, however non-openable windows are not considered an acceptable solution due to the impact on living standards.

Noise between residential properties

To minimise the disturbance by noise of future residential occupiers of the flats and its effect on neighbouring residents, residential accommodation must be designed and constructed or converted so as to achieve the insulation requirements set out in Building Regulations Approved Document E.

Construction and demolition phase

The following informative should be attached to help prevent complaints.

Recommended Informative

Noisy construction, demolition and associated activities should be restricted to between the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, with no noisy works taking place at any time on Sundays and Bank or Statutory Holidays.

Bin storage - rats

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. Where developments involve shared bin storage areas e.g. flats and hotels there is a greater risk of rats being able to access the waste due to holes being chewed in the base of the large wheelie bins or due to occupants or passers not putting waste inside bins, or bins being overfilled. It is therefore important for the bin store to be vermin proof to prevent rats accessing the waste. A condition is recommended to ensure appropriate measures are implemented.

Reading Civic Society (RCS)

No comments received.

Reading Conservation Area Advisory Committee (CAAC)

No comments received.

Thames Valley Police Crime Prevention Design Advisor

No objections subject to following observations relating to:

- Rear court parking areas;
- Boundary Treatments;
- Apartment Mail delivery/residential security;
- Physical Security;
- Creation of secure communal lobbies;
- Bin and cycle store doors;
- Residential door Sets;

And condition relating to:

- Access control strategy

RBC Valuers

To be provided in any update report.

Public consultation

Letters were sent to neighbouring properties on Brunswick Hill and a site notice was displayed at the front of the property. Objectors have also been notified by post of amendments to this application. In total, 10 letters of objection have been received (including a group objection letter), these can be summarised as:

- Impact on parking/traffic impacts;
- Extension is too large and harms character of original building;
- Too many flats;
- Impact on utilities (sewer/water);
- Amenity impacts of proposal
- Drainage impacts of hardstanding;
- Loss of outbuilding;
- Overbearing nature of development;
- Lack of natural light/windows to some rooms;

6. RELEVANT POLICY AND GUIDANCE

- 6.1 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) which states at Paragraph 11 “Plans and decisions should apply a presumption in favour of sustainable development”.

The following policies and documents are relevant:

Reading Borough Local Plan (2019)

CC1	Presumption in favour of sustainable development
CC2	Sustainable design and construction
CC3	Adaption 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
EN6	New development in a historic context
EN10	Access to open space
EN12	Biodiversity and the green network
EN14	Trees, hedges and woodland
EN15	Air quality
EN16	Pollution and water resources
EN17	Noise generating equipment
H1	Provision of housing
H2	Density and mix
H3	Affordable housing
H5	Standards for new housing
H8	Residential conversions
H9	House extension and ancillary accommodation
H10	Private and communal outdoor space
TR1	Achieving the transport strategy
TR3	Access, traffic, and highway-related matters
TR5	Car and cycle parking and electric vehicle charging

Supplementary Planning Documents

Revised Parking Standards and Design (2011)
Revised Sustainable Design and Construction (2019)
Revised S106 Planning Obligations (2013)
Affordable Housing (2013)

Other material guidance and legislation

National Planning Practice Guidance (2019)
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

7. APPRAISAL

7.1 The main issues raised by this planning application are:

- (i) Principle of development
- (ii) Design and impact on the character of the area
- (iii) Mix of units
- (iv) Amenity of future occupiers
- (v) Impact on neighbouring properties
- (vi) Transport and parking
- (vii) Affordable Housing
- (viii) Other matters

(i) Principle of development

7.2 The application site currently contains a large detached Edwardian property within residential use. The extent of the current accommodation is such that it would only be suitable for a very large family or subdivided to smaller units as appears to be the case currently, albeit this is somewhat informal. The site is within close proximity to high frequency bus routes along Oxford Road and Tilehurst Road and adjacent to Reading West Station. The proposed development would extend the current building to provide 8 dwellings with a mix of unit sizes (1 and 2 bedroom flats) in a sustainable location. In making best use of the land available and meeting an established need for housing, the proposal is considered to comply with Policy H1 (Provision of Housing). As such, the principle of development is considered acceptable, including the fact that the retention of the main building would overcome one aspect of the previous refusal, and appeal decisions.

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

7.3 The development site is located within an established residential area, characterised by detached or semi-detached single residential dwellings, with a number of flatted developments (closer to Tilehurst Road), and other uses (including a public house and church). The proposal seeks to convert the existing single dwelling into 8 flats. A survey of the area, specifically measured 50m from the subject property, has found that there are 16 properties within 50m of the subject dwelling. Of the 16 dwellings only no's 26 and 32 Brunswick Hill (12.5% of properties) have been converted to flats. Of that, it appears both flats at no.32 Brunswick Hill are within C4 (HMO use). With the remaining 14 properties (87.5% of properties) still single dwellinghouses (C3 use class). As such, the proposed conversion of the subject dwelling would result in 18.75% of properties within 50m of the subject site being flats. This approach to assessing the mix of uses in the area is based on that used in the Article 4 Area where changes of use to small HOM use C4. The relative percentages demonstrate that converting the property to flats in this instance would not, individually or cumulatively, unduly dilute or harm the existing mixed and sustainable community, as required by Policy H8. As such, the proposal would be acceptable in this regard, and reason from refusal 1 from the previous committee decision is considered to be overcome. It is also noted, that in dismissing the appeal, the Inspector did not consider this to be a key matter and did not appear to object on this ground.

- 7.4 In design terms, the proposal includes two main elements: the two-storey side extension, and the 3-storey rear extension (with excavation to supply third storey) each aspect will be assessed in turn.
- 7.5 Policy H9 seeks to ensure all extensions to a house would: respect the character and appearance of the host dwelling; respect the pattern of neighbouring properties, location and arrangement of windows, and avoid overbearing, or large blank facades to public areas.
- 7.6 The proposed two-storey side extension would be 3.2m wide and have a gable end wall similar to the main roof form. The extension would be set-down from the ridge height of the main dwelling and set-back from the main façade. The proposal includes architectural detailing to match the front facing windows of the main dwelling. The side extension portion complies with the Council's adopted SPD and would be considered acceptable subject to conditions to ensure suitable materials. This is also a new element as compared to previously refused schemes, and would increase the width of the dwelling as viewed from the street. However, the side extension, as noted would remain subservient to the main dwelling, and be of an acceptable design that would compliment the main dwelling. In addition, the more interesting and subservient roof form is considered to overcome the concerns of the Inspector in dismissing the previous appeal.
- 10.7 The proposed rear extensions would include a predominantly three-storey rear extension to the main dwelling, with a ridge line lower than that of the main dwelling and set in from the side by approximately 700mm (the right as viewed from the street) and extended from the original dwelling on the left hand side. The rear extension would include a gable end wall on the right hand side (as viewed from the street) and a hipped roof form for the remainder of the roof. It would include Juliet balconies at first and second floor, and an oriel window on the right hand side. There would be a shared access to the lower ground floor flats (within the rear extension) to the side, with the main entrance to the rest of the dwellings being provided from the front. In this regard, the width of the previously refused schemes as viewed from the street is considered to be overcome by this design approach.
- 10.8 As noted above, the property in question is the largest property within the immediate vicinity, being 26m wide and 58m in depth. The rear extension, would measure 10.5m in total depth, with the total resulting dwelling being approximately 20.4m. The Council's adopted house extensions SPD sets out that rear extensions on semi-detached or detached houses would not normally be granted where they are longer than 4m. It also states that exceptions to this may be accepted if the house and garden are capable of taking an extension of a longer depth, and should leave sufficient garden space for general use and penetration of light and sunlight.
- 10.9 Due to the significant width of the plot, the proposed development would be located 4m from the boundary of no.41, and 9.3m from the boundary of no.35. The rear extension would also be located 30m from the rear property boundary.
- 10.10 In addition, the design approach incorporates a gable end rear facing wall, a two-storey oriel window, fenestration to match the existing detailing, and add visual interest to the long flank wall. With the bland appearance of the long flanking elevation another key matter of the original appeal. As such, the design options are considered to provide sufficient visual interest and fenestration to break up the long flank wall.

10.11 In this particular instance, the design has considered the form and detailing of the original dwelling and presents a subservient roof form which incorporates a gable end wall to reflect the features of the original dwelling. The design, in overall depth would be set-off all adjoining boundaries by a substantial distance and allow for a substantial amount of rear garden space to be retained as garden space for future residents. As such, the extensions to the dwelling are considered to respect the character and appearance of the house as outlined in policy H9.

10.12 The application site is considered a non-designated heritage asset. As such, in addition to the proposal being considered acceptable in design terms, the proposed detailing and materials are required to be of a high quality which respects the host property. In this regard, the proposal includes materials to match, which includes matching brickwork, timber windows, and doors, and matching lintels. The proposed detailing is recommended to be secured by condition, and material samples to be provided prior to commencement to ensure acceptable materials are used.

10.13 The application is acceptable in this regard, subject to amenity considerations which are outlined below.

(iii) Mix of units

10.14 Policy H2 of the Local Plan indicates that the appropriate density and mix will be informed by assessing the characteristics including land uses in the area; the level of accessibility; the requirements for good design; and the need to minimise environmental impacts, including impacts on adjoining occupiers. The policy also states that developments of 10 or more dwellings outside the central area and defined district and local centres, over 50% of dwellings shall be of 3 bedrooms or more and the majority of dwellings will be in the form of houses rather than flats.

10.15 As this revised proposal is now for 8 dwellings (and therefore below the threshold of 10), the dwelling mix requirement of Policy H2 is no longer applicable and the mix of 1 and 2 bedroom units is considered acceptable in policy terms.

(iv) Amenity of future occupiers

10.16 When considering the previous appeals the Inspectors found in both cases, where the buildings were of a larger footprint and scale than currently proposed, that there would be no conflict with the need to safeguard the amenity of future occupiers. The revised internal layout of all proposed flats would continue to be satisfactory, with all flats containing a primary outlook over the front or rear garden. In addition, a number of kitchens and bathrooms are not provided with windows for direct access to natural light. It is not considered to be uncommon within flats that bathrooms or kitchens are provided without windows, as such this is considered acceptable.

10.17 The site plan is not clear on exactly whether the rear garden is to be communal or private. However, the lower ground floor flats appear to have a defensible space outside the rear facing windows, and there is an opportunity for the rear garden to be used as communal space without undue impact on these flats. The amount of amenity space available is sufficient and can be controlled by condition. Sound control measures along with stacking of some rooms is required by current Building Regulations to prevent any harm in this regard. Outlook from each flat and

attainable light levels are acceptable too. Therefore, the revised scheme is considered to comply with Policy CC8 (Safeguarding Amenity).

(v) Impact on neighbouring properties

10.18 This development has the potential to impact on neighbouring properties through the increase in scale of the extended building and additional disturbance caused by the increased intensity of residential use. However, it is relevant that harm to the amenity of neighbouring properties was not raised as a material concern by the previous appeal Inspector.

10.19 No. 41 to the south has a rear extension and the submitted plans indicate that no habitable room windows would be adversely affected by the new building works, with a 45 degree angle maintained. On the northern side, it is recognised that No. 35 would experience a degree of overbearing from the development, especially as the new building would be to the south of this property. However, similar to the 2 refused schemes, there would be a significant distance (some 9m) intervening gap to allow the rear access drive providing a sufficient setback to prevent any significant harm in terms of loss of daylight and sunlight to habitable rooms. This is further mitigated by the reduced ridge and eaves height.

10.20 The development will result in additional residential activity when compared to the present situation, with additional comings and goings and access to and use of the parking area. This may be noticeable from surrounding properties and will be most acutely felt by the occupants of No. 35, where long lengths of the common boundary will change from garden to hard-surfacing. But No. 35 has a long garden itself, and there remains sufficient space within the plot to accommodate the access road and it is not considered that eight dwellings would result in a substantial number of sustained vehicle movements or uncharacteristic uses at unsocial hours. Officers consider that the residential amenity to No. 35 would not be significantly harmed in any way which would justify refusal in terms of Policy CC8.

(vi) Transport and parking

7.21 There are no objections to this planning application from the Highway Authority. The development would necessitate a widening of the access, moving a lamp-post, adjusting the parking zone, and removal of rights to parking permits, all of which could be controlled by conditions or obligations. The parking level shown is suitable for the intended development and location. However, the Highway Authority's approval is dependent on the development securing a Traffic Regulation Order (TRO) which would be needed to remove part of the residents parking area in order to provide the access into the site. There is generous space available on site for required cycle/bin stores and the application includes potentially suitable arrangements for such.

(vii) Affordable Housing

7.22 The applicant has provided an affordable housing viability statement which is being assessed by the Council's valuations team, and an update report will clarify the affordable housing conclusion.

(viii) Other matters

Sustainability

- 7.23 Such residential development could reasonably be expected to demonstrate compliance with a BREEAM 'Very Good' standard and this will be secured by condition. There is no requirement for on-site energy generation for this scale of development. Officers are content that the Council's sustainability policies can be achieved via condition.

Bats

- 7.24 The Council's ecologist is content with the conclusions of the bat survey and does not raise issue with the development, providing that ecological enhancements are provided, which would be secured via condition to comply with Policy EN12.

SuDS

- 7.25 Given the size of the site, adequate sustainable drainage is able to be secured by condition in order to ensure implementation.

CIL

- 7.26 The proposed development would be CIL liable.

Equality Act

- 7.27 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 particular planning application. In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

8. CONCLUSION

- 8.1 In responding directly to the previous appeal dismissal, this revised scheme has been reduced to 8 dwellings and has included the retention of the original building.
- 8.2 In light of the above and with due regard to all matters raised, the extensions and conversion and overall planning merits of this development are now considered acceptable. Accordingly, Officers are of the view that the proposal complies with relevant policies, has addressed earlier Inspector's concerns and can be recommended for approval subject to conditions and necessary planning obligations.

Case Officer: Anthony Scholes

9. Plans and Documents

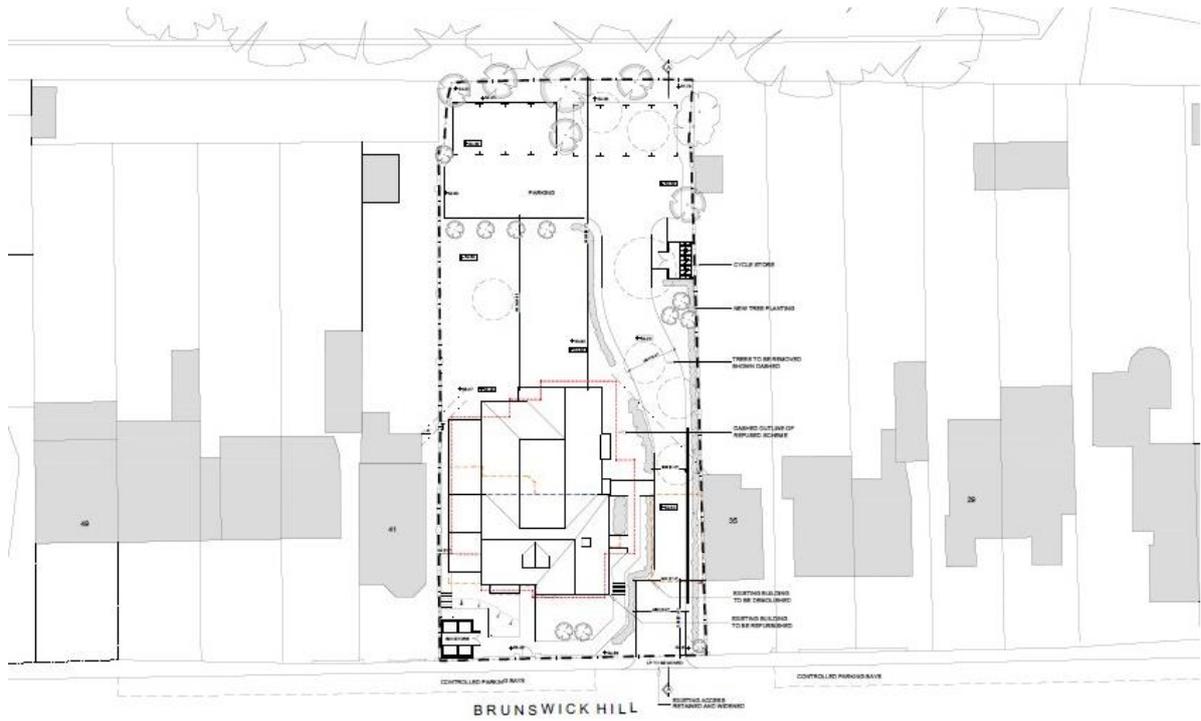


Figure 3 - Site layout plan



Figure 4 - Proposed elevations

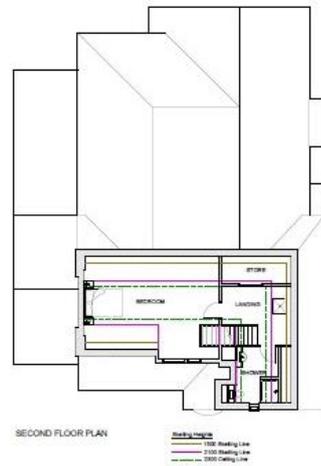
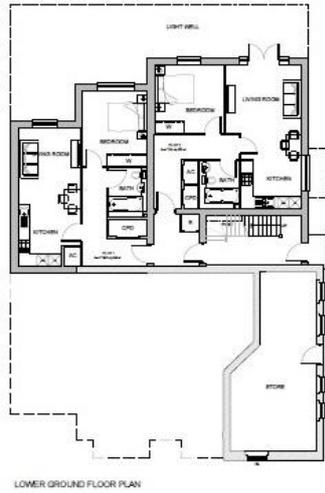


Figure 5 - Proposed floor plans

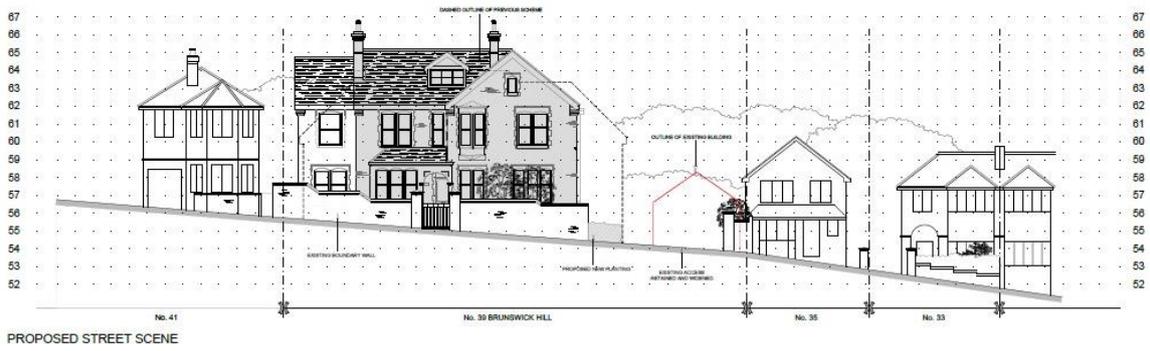
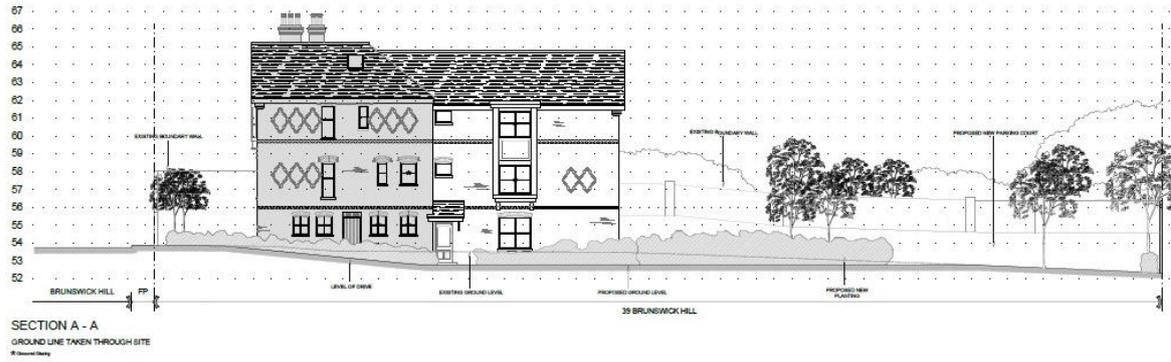


Figure 6 - Proposed street scene and site section