

## UPDATE REPORT

BY THE EXECUTIVE DIRECTOR OF ECONOMIC GROWTH & NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO. 11

PLANNING APPLICATIONS COMMITTEE: 13<sup>th</sup> January 2021

Ward: Park

App No.: 201135

Address: Arthur Hill Swimming Pool, 221-225 King's Road

Proposal: Full planning application for 15 flats through the change of use and conversion of the front building from leisure (Use Class D2) to residential (Use Class C3) and demolition of the rear building (Use Class D2) and construction of new residential building (Use Class C3), car parking and landscaping.

Applicant: Reading Borough Council

Deadline: 11/11/2020

Extended Deadline: 29/1/2021

Planning Guarantee 26 week target: 10/2/2021

### RECOMMENDATION:

**GRANT** Planning Permission subject to conditions and informatives and subject to the satisfactory completion of a Unilateral Undertaking (S.106).

**OR Refuse** permission should the Unilateral Undertaking not be completed by 29<sup>th</sup> January 2021 unless a later date is agreed by the Head of Planning, Development & Regulatory Services.

**The Section 106 Legal Agreement to Secure the Following:**

Amended Heads of Terms:

Amended - ***Affordable Housing***

100% Affordable Housing - 15 no. units as (13 no. 1 beds and 2 no. 2 beds) ~~as social rent affordable housing units~~, at an affordable rent tenure, at no more than 80% of the market rent.

No change - ***Employment Skills and Training Plan*** - Construction skills - preparation and delivery of an ESP or a financial contribution of £2,998 (construction)

Deleted - ***Zero Carbon Offset - All Dwellings***

- ~~• Zero Carbon Offset as per SPD 2019 a minimum of 35% improvement in regulated emissions over the Target Emissions Rate in the 2013 Building Regulations, plus a Section 106 contribution of £1,800 per remaining tonne towards carbon offsetting within the Borough (calculated as £60/tonne over a 30-year period).~~
- ~~• As-built SAP calculation for all dwellings to be submitted for approval within 6 months following first occupation.~~

- ~~Contribution based on SPD formula below towards carbon-saving projects calculated for all dwellings based on approved SAP calculation to be paid to the Council within 9 months following first occupation:~~
- ~~TER CO2 m2/yr less 35% CO2 m2/yr) = 65% of TER~~
- ~~65% of TER x total square metres = total excess CO2 emissions annually~~
- ~~Total excess CO2 emissions annually x £1800 = S106 contribution.~~

**CONDITIONS TO INCLUDE:**

- Additional  
28)N10 - Noise mitigation scheme as approved

**1. AMENDED INFORMATION**

***Accessibility***

- 1.1 The applicant has confirmed that the proposed scheme would comply with accessibility requirements where possible as included within Policy H5, however, it has not been possible to comply with respect to the provision of level access to Blocks D (front locally listed) and C (new attached building to D) due to site constraints as well as tying in with the existing building. The locally listed building has steps externally and internally, Block C connects to D and there is a level difference between the front and rear of the site, so stepped access is unavoidable. The ground floor units to Block B would have level access as well as shower facilities as opposed to baths for easier adaptation if required.
- 1.2 Due to site constraints being a very narrow site lift provision cannot reasonably be achieved, however, as Part M of the Building Regulations a suitable stair, in accordance with the Regulations would be provided.

***Affordable Housing***

- 1.3 An error in the wording of the Heads of Terms for Affordable Housing has been corrected in the recommendation above to remove reference to social rent. The proposed tenure type is affordable rent.
- 1.4 Objectors and councillors have requested that the term Key Workers is included within the Affordable Housing obligation to limit rental of the units to only Key Workers. The applicant intends to let them to Key Workers, and although there is no national definition, there is an emerging local definition. As such a definition could be included in a Unilateral Undertaking (UU) specifying key worker occupations with a proviso that any future national/ local definitions would also apply.
- 1.5 Objectors have also requested that restrictions are included within a UU to prevent tenants' ability to purchase their property under Right to Buy. Planning obligations cannot be used to circumvent statutory legislation and, therefore, it would be unlawful to use a planning obligation in this way. The proposed scheme for the provision of

affordable housing is considered acceptable in planning terms and, therefore, meets the relevant statutory tests under S106 (of the Town and Planning Act).

***Zero Carbon Offsetting***

- 1.6 Following the publication of the main report the applicant has confirmed that the overall scheme (Blocks A-D) would be carbon neutral based on the proposed PV panels, and therefore there is no requirement for carbon offsetting obligations within the UU, so the recommendation has been amended to delete this.

***Conclusion***

- 1.7 The recommendation remains as in the main report save for the changes to the UU terms as above and a further suggested condition requiring the implementation of the noise mitigation scheme as submitted.
- 1.8 Appendix 1 sets out the Statement to be made by the planning agent at Planning Applications Committee.

Case Officer: Alison Amoah

## **APPENDIX 1: STATEMENT BY PLANNING AGENT - ROBERT SHRIMPLIN**

**Arthur Hill Swimming Pool, 221-225 King's Road (Application reference 201135)**

### **Statement to Planning Committee, 13 January**

1. This application has benefitted from extensive pre-app discussions with the Council. It has been rigorously assessed by a wide range of statutory consultees and has been supported by them all. As the Officer Report makes clear in recommending approval, the application is in accordance with the Council's recently approved development plan.
2. The building was closed in December 2016 and has been vacant for the last four years. The allocation of the site was considered in detail through the Local Plan process. That issue has been decided. This application is consistent with the allocation of the site for residential development.
3. The application will provide 15 residential units, all of which will be affordable units let at affordable rent.
4. The front part of the building, which is locally listed, will be retained and enhanced.
5. The new buildings to the rear of a high quality design. The scheme is consistent with all relevant standards in terms of size of units, disabled access, car and cycle parking, servicing and security. The scheme has been building to energy efficient Passivhaus standards.

**12 January 2021**

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