

## APPEAL DECISION REPORT

Ward: REDLANDS

Appeal No: APP/E0345/W/20/32486

Application Ref: 190449

Address: 40-68 Silver Street, Reading, RG1 2ST

Proposal: Erection of part 1, part 2 and part 4 storey (plus basement level) buildings to provide 79 student studio rooms (sui generis use class) with associated ancillary space and landscaping works.

Case officer: Alison Amoah

Decision level: Committee. Refused 11<sup>th</sup> September 2019

Method: Written Representations. Decision: Appeal dismissed

Date Determined: 15<sup>th</sup> January 2021

Inspector: Guy Davies BSc (Hons) Dip TP MRTPI

### 1 Background

- 1.1 The application site is on the western side of Silver Street. The site was previously occupied by two commercial buildings, now demolished and has most recently been used as the site compound for the construction of no. 79 Silver Street, the now built student scheme. The site is surrounded by residential development.
- 1.2 The site has been the subject of previous now lapsed permissions (40 Silver Street - 150885 for 15 flats; 62-28 Silver Street - 110915- 16 student units) and a refused and dismissed appeal for '*Demolition of existing building and erection of a part 3 and part 4 storey (plus basement level) building to provide 62 studio rooms (sui generis use class) with associated ancillary space and landscaping works*', which was refused and appeal dismissed 29/10/18 (planning ref:172218; Appeal ref: APP/E0345/W/3199747)
- 1.3 The summary grounds for refusal under this most recent application 190449 were: 1) Overdevelopment and harmful addition to the streetscene; 2) Loss of amenity from overlooking, loss of light and noise and disturbance; 3) Affect on amenity of proposed residents from the use of the external courtyard in terms of overlooking, and noise and disturbance; 4) A concentration of student housing leading to a detrimental impact on a mixed and balanced community; 5) Not demonstrated how the site would meet an identified need that could not be met on those sites identifies within the Local Plan or sequentially preferable sites; 6) Insufficient information to demonstrate that the scheme would be acceptable in the Air Quality Management Area; 7) Layout does not comply with respect to vehicle parking; 8) No completed S106 agreement to secure: employment, skills and training contributions; travel plan and highway alterations; restriction on student occupancy; and student management plan.
- 1.4 As part of the appellant's appeal submission an air quality assessment and a UU were submitted. Officers were satisfied that these addressed the reasons for refusal 5 and 7.

### 2 Summary of the decision

- 2.1 The Inspector considered the main issues to be:
  - The need for student accommodation;
  - Highway safety and the free flow of traffic on Silver Street;
  - The living conditions of neighbouring occupants with regard to privacy, light, and noise;
  - The living conditions of future occupants with regard to privacy and noise;
  - The character and appearance of the area; and
  - The mix and balance of the community.

- 2.2 Policy H12 requires new student accommodation to be provided on or adjacent to existing campuses, or as an extension or reconfiguration of existing student accommodation. There is presumption against proposals for new student accommodation on other sites unless it can be clearly demonstrated how the proposal meets a need that cannot be met. The Appellant sought to demonstrate that the underlying student housing need assumed for adopted Policy H12 represents an under provision. However, the Inspector stated that they had not been provided with evidence that demand for student accommodation has significantly changed since the adoption of the Local Plan. Although the Inspector accepted that there is clearly a demand for student accommodation in the area there is also a demand for general market housing and that *“The Local Plan seeks to balance these competing demands in part by directing new student accommodation to sites on or adjacent to existing education campuses, leaving other suitable sites within the built up area to meet general housing needs. Policy H12 has been recently adopted following scrutiny as part of the Local Plan examination. It is therefore justified and up-to-date and I give it significant weight.”* In concluding on this matter, the Inspector considered that the *“.. student accommodation on the appeal site would conflict with the requirements of Policy H12 of the Reading Borough Local Plan 2019 in that the site is not on or adjacent to a further or higher education campus, is not an extension or reconfiguration of existing student accommodation and it has not been clearly demonstrated that the proposed student accommodation could not be met on a site that accords with Policy H12.”*
- 2.3 The Inspector also agreed with the LPA’s position on highway safety stating that *“Although disruption caused by students arriving or departing at the beginning and end of term would be limited to a few occasions a year, given the role that Silver Street plays as part of the primary road network, the limited availability of on-street parking and the restrictions on loading and unloading, I conclude that were such disruption to occur it would have a significant and adverse impact on the free flow of traffic on Silver Street, resulting in a harmful impact on highway safety.”*
- 2.4 The Inspector agreed that the proposed scheme, specifically the proximity of the proposed front block, would have a harmful effect on the outlook and loss of light to the windows in the side of Platinum House.
- 2.5 Although the Inspector concluded that for most of the proposed development the living conditions of future occupants would be satisfactory, he agreed that the proposed student warden unit on the ground floor (north) would suffer from *“excessive noise and disturbance, to the detriment of the living conditions of its occupant. For that reason, this part of the development would conflict with Policy CC8 of the Reading Borough Local Plan 2019..”*
- 2.6 In terms of the scale and massing the Inspector found the scheme to be acceptable with respect to its effect on the character and appearance of the area and would not harm the mix or balance of the community in the wider area.
- 2.7 The Inspector concluded that the Council’s reasons for refusal 2, 3 (in part), 5, 7 should be supported and dismissed the appeal (6 - highway safety and 8 - S106 were addressed during the appeal process).

**3 OFFICER COMMENTS**

- 3.1 Officers are very pleased that the Inspector has endorsed the conclusion reached by Officers and in particular the decision upholds the Local Plan’s approach to student accommodation through Policy H12 and is the second recent decision on this policy.

(Following that under APP/E0345/W/19/3242252 - Alexander House, 205-207 Kings Road, Reading RG1 4LS reported in December 2020).

**Case Officer: Alison Amoah**