

## UPDATE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 7 November 2018

ITEM NO. 13

Ward: Redlands  
App No.: 180683/FUL  
Address: Land adjacent to 300 Kings Road, Reading  
Proposal: Construction of a part five part three storey building of 14 residential apartments (C3) and associated under croft car parking.

RECOMMENDATION: as per the main agenda report

### FURTHER OBJECTIONS RECEIVED

1. Two further letters of objection has been received from the adjacent landowner/developer at no. 286 Kings Road following the submission of the amended plans referenced in the main agenda report. In summary their points, with officer comments in *italics* are:

- Following submission of the amended plans the landowner is satisfied that the proposed development would not protrude on to their land and would not require any physical alteration to no. 286.
- The proposed development is unneighbourly and would block off the four new windows to the east elevation of the building compromising natural light for current and future users. The officer report is misleading in stating that the existing bay window to west elevation of the rooms in no. 286 provides for more than single aspect outlook.

*The impact of the development on the new windows proposed to no. 286 is covered in the main agenda report. Paragraph 6.16 of the report does state that the rooms to no. 286 enjoy triple aspect outlook but clearly states that this is via an existing bay window. For clarity a copy of the floor plans of no. 286 both with and without the consented additional windows are attached to this update report.*

- Loss of daylight, sunlight and overshadowing. An updated daylight impact assessment has not been submitted with the amended plans.

*As set out in the main agenda report a daylight impact assessment was submitted with the initial planning application and officers were satisfied that the original proposed development would not result in any unacceptable impacts upon surrounding properties in terms of loss of daylight, sunlight or overshadowing. Officers remain satisfied that the rooms at no. 286 would be served by sufficient natural light and outlook whether in the current office use or consented residential use both with or without the consented additional*

*windows. The amended plans have adjusted the siting of the west flank elevation of the building by around 200mm. Officers are satisfied that this minor adjustment would not result in any material change in terms of the impact of the proposal on daylight to surrounding properties.*

- The proximity of the proposed development would give rise to noise and disturbance to future occupiers of no. 286 once occupied, particularly during warmer weather than the windows may be open.

*It is not considered that the proposed residential use of the development would result in any undue noise or disturbance above that which would be expected within a residential area located next to a busy road.*

- The size, height and proximity for the proposed development would appear overbearing and over dominant to no. 286 and impair outlook to the consented window to the east elevation.

*This is covered in the main agenda report.*

- The officer report incorrectly states that the consented new windows to the east elevation of no. 286 have not been implemented.

*Officers confirm that the works to implement the new windows to no.286 has commenced on site. The main agenda report considered the impact of the proposed development on no. 286 both with and without the additional windows.*

- A full 21 day re-consultation on the amended plans to all neighbours has not taken place.

*There is no statutory requirement for re-consultation on amended drawings. However, Officers did notify the objector from no. 286 that amended drawings had been submitted and allowed five working days for any further comments. This was on the basis that the application was deferred at the October Planning Applications Committee based on comments raised by the landowner of no. 286 and given that the small amendments to the plans that have been submitted were done so specifically in response to this objection. Officers are satisfied that this was a reasonable approach to take.*

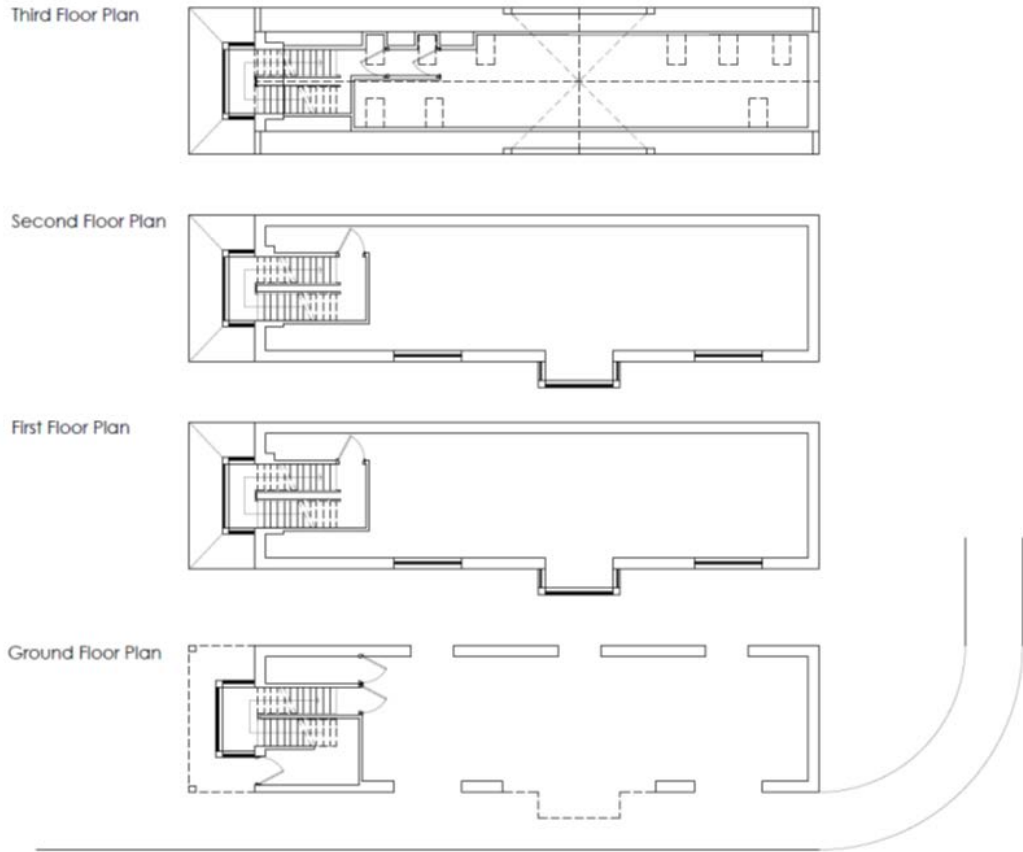
- An article has also been brought to the attention of Officers regarding a recent legal challenge to an application at a different Local Authority where a judge found that an officer report to committee was misleading with regard to the impact of a new development to existing windows in terms of loss of light.

*This article is acknowledged by Officers. However, in this instance, as set out in this update report and the main agenda report, officers consider that the rooms to the adjacent building, whether in the existing office or consented residential use are served with sufficient daylighting and outlook from the unobstructed*

*windows to the west elevation. As set out in paragraph 6.17 of the main agenda report officers do not dispute that the proposed development would undoubtedly impact upon the new windows to the east elevation, in terms of overbearing, loss of light and outlook. However, the key issue in this instance is that the building is already considered to be served by sufficient daylight and outlook via the original openings to the west elevation and as such, the impact upon the new windows is not considered to materially impact upon the living conditions of future occupiers. As such the extent of which there is harm to the windows is not considered critical to the assessment, as no. 286 is considered able to function acceptably both as either office or residential accommodation both with or without the new windows.*

Case officer: Matt Burns

Floor Plans of no.286 Kings Road without approved windows to the east elevation



Floor Plans of no.286 Kings Road with approved windows to the east elevation

