

## COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 06/02/19

**Ward:** Abbey

**App No:** 181902/REG3

**Address:** Tyrell Court and Padley Court, The Dell

**Proposal:** Conversion of 4 sets of redundant garages (3 sets in Tyrell Court and 1 set in Padley Court) to form 4 x one bedroom flats

**Applicant:** Reading Borough Council

**Date validated:** 01/11/18

**Target Date:** 27/12/18

**Extension of time date:** 08/02/2019

### RECOMMENDATION

**GRANT** Full Planning Permission, subject to conditions

Conditions to include:

1. Five year time limit for implementation
2. In accordance with the approved plans
3. Materials to match
4. Submission and approval of a phase 1 site contamination assessment
5. Submission and approval of a contamination remediation scheme
6. Implementation of contamination remediation scheme
7. Reporting of unexpected contamination
8. Cycle parking provision to be provided in accordance with the approved plans
9. Bin storage provision to be provided in accordance with the approved plans
10. No parking permits - notify Council of postal addresses of units
11. No parking permits - notify future occupiers of the units

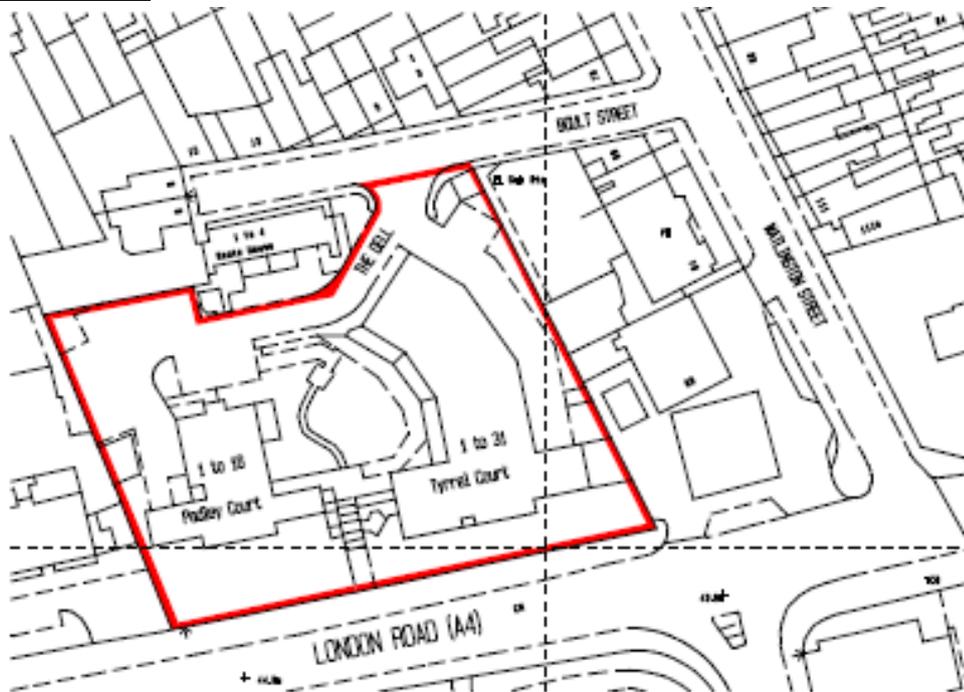
Informatives to include:

1. Terms and conditions
2. Need for building regulations
3. Construction and Demolition subject to Environmental Health
4. Construction hours
5. Positive and proactive
6. No burning of waste on site
7. Highways legislation - damage to highway
8. No parking permits

## 1. INTRODUCTION

- 1.1 Tyrell Court and Padley Court are two four storey buildings of residential flats located on The Dell which is a small cul de sac off Boulton Street. Tyrell Court is larger in terms of footprint containing 31 flats whilst the smaller Padley Court is located to the west and contains 16 flats. Both buildings incorporate small garages at ground floor level.
- 1.2 The buildings are owned by Reading Borough Council and provide housing for the elderly and people who are at risk of homelessness.
- 1.3 The application is to be determined at Planning Applications Committee because the Council is the landowner and applicant.

### Site Location



## 2. PROPOSALS

- 2.1 The application seeks full planning permission for conversion of twelve redundant garages (four sets of three garages) to provide four one bedroom flats. The flats would be used by Reading Borough Council to provide additional affordable housing for local people.
- 2.2 Three sets of three garages (nine garages in total) are to be converted to the east elevation of Tyrell Court creating three flats whilst one set of three garages (three garages in total) are to be converted to the west elevation of Padley Court to create the other flat.
- 2.3 Reading Borough Council Property Services has confirmed that the garages are redundant and have not been used for a number of years due to their small size as individual garages, restricted door widths and access difficulties

due to sloping ground levels to the front of the garage doors. The purpose of the application is to increase the efficiency of the site through conversion of underutilised space and increasing the overall housing support offer of the Council across Reading.

- 2.4 The four proposed one bedroom flats would each be 41m<sup>2</sup> in floor area. The existing garage doors would be replaced to provide each flat with two windows and a front door.
- 2.5 New external bin and cycle parking facilities are proposed to the eastern part of the site.

### 3. PLANNING HISTORY

- 3.1 None.

### 4. CONSULTATIONS

- 4.1 Transport Development Control - No objection, subject to conditions to secure provision of bin and cycle stores and restricting access of future occupants to parking permits.
- 4.2 Environmental Protection - No objection, subject to conditions to secure submission and approval of a contaminated land assessment prior to the commencement of development.
- 4.3 Neighbour Consultation - All flats at Tyrell Court, Padley Court and Neate House The Dell as well as no.s 65-69 London Road and Flats 1-10 84 Watlington Street were notified of the application by letter. A site notice was also displayed at the application site. No letters of representation have been received at the time of writing this report.

### 5. LEGAL AND PLANNING POLICY CONTEXT

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy Framework, among them the 'presumption in favour of sustainable development'.
- 5.2 The application has been assessed against the following policies:
- 5.3 National Planning Policy Framework
- 5.4 Reading Borough Local Development Framework Core Strategy (2008) (altered 2015)  
Policy CS4: Accessibility and the Intensity of Development

Policy CS5: Inclusive Access  
Policy CS7: Design and the Public Realm  
Policy CS9: Infrastructure, Services, Resources and Amenities  
Policy CS14: Provision of Housing  
Policy CS15: Location, Accessibility, Density and Housing Mix  
Policy CS18: Residential Conversions  
Policy CS20: Implementation of The Reading Transport Strategy  
Policy CS24: Car/Cycle Parking

5.5 Reading Borough Local Development Framework Sites and Detailed Policies Document (2012) (altered 2015)

Policy SD1: Presumption in Favour of Sustainable Development  
Policy DM4: Safeguarding Amenity  
Policy DM6: Affordable Housing  
Policy DM8: Residential Conversions  
Policy DM10: Private and Communal Outdoor Space  
Policy DM12: Access, Traffic and Highway-Related Matters

5.6 Revised Parking Standards and Design Supplementary Planning Document (2011)

5.7 Supplementary Planning Document - Residential Conversions (2013)

9. **APPRAISAL**

The main issues relevant to consideration of this planning application are:

The main issues are considered to be:

- (i) Principle of Development
- (ii) Design and impact on the character of the surrounding area
- (iii) Amenity of future occupiers
- (iv) Amenity of surrounding occupiers
- (v) Transport
- (vi) Affordable Housing
- (vii) Other Matters

(i) **Principle of development**

6.1 Policies CS18 and DM8 (Residential Conversions) and the Residential Conversions Supplementary Planning Document (2013) are both relevant to applications for residential conversions, albeit in the context of converting existing larger residential dwellings to flats. The current proposal is slightly different in that it relates to conversion of existing garages to flats, but nonetheless some elements of both policies provide a useful guide for assessing such applications.

6.2 Policy CS18 seeks that conversion proposals are assessed against their impact on the character and amenity, intensification of activity, loss of

privacy and external amenity space and provision of adequate on-site car parking and bin storage which will be discussed in the later sections of this report.

- 6.3 In addition to the requirements of Policy CS18 above, Policy DM8 includes specific measures to prevent loss of single family housing but this would not be relevant to consideration of the proposed garage conversions.
- 6.4 Policy DM8 also seeks that residential conversions should incorporate at least one unit of family sized accommodation with a minimum of two bedrooms. In this instance the proposal is to provide four one bedroom flats only. However, given the constraints of the existing building, size of the garages and their layout it is not considered feasible to provide a two bedroom unit of accommodation of a suitable size/standard. The current position and layout of the garages also suits the size of units currently proposed, which allows the existing storage areas in between the three units in Tyrell Court to be retained and does not require significant internal alterations or extension of the buildings. The lack of parking and amenity space provision associated with the conversion works also lends itself more to one bedroom rather than family sized units. Furthermore, the proposal is to provide affordable housing accommodation for local people for which there is an acute identified local need.
- 6.5 Given the above and that the specific policy requirements referenced are intended to relate to conversion of existing residential dwellings to flats and not conversion of garages, the provision of four one bedroom units is considered to be acceptable in principle.
- 6.6 In general terms the proposal would also provide an additional four dwellings to the Boroughs housing stock, the principle of which would align with the broad objectives of Policy CS14 (Provision of Housing) in assisting meeting annual housing targets, whilst the location and accessibility of the site for residential development is considered to accord with Policy CS4 (Accessibility and the Intensity of Development). There are no concerns regarding the principle of the loss of the existing garages which due to access issues and their size are not used for parking.
- 6.7 The principle of the proposed conversions is therefore considered acceptable, subject to the relevant material planning considerations below.
- (ii) Design and impact on the character of the surrounding area**
- 6.8 Policy CS7 (Design and the Public Realm) seeks that proposals should maintain or enhance the character of the area of Reading within which they are located.
- 6.9 The proposed conversions would be facilitated within the footprint of the existing garages. Only minor external alterations are proposed with the

replacement of garage doors with two windows and a door to each of the four flats. The proposed fenestration is considered appropriate in terms of style and positioning would not detract from the appearance of the building or the character of the surrounding area.

- 6.10 Bin and bike storage structures are proposed along the eastern boundary of the site. These structures are modest in scale, given small number of additional flats proposed, and of low level discreet design and siting which would not result in any adverse harm to the character of the area.
- 6.11 The proposals are considered to be in accordance with Policy CS7 and Policies CS18 and DM8 (Residential Conversions).

**(iii) Amenity of future occupiers**

- 6.12 The proposed flats would each have independent access via a front door out onto the existing hardstanding areas surrounding the flats. Whilst the units are single aspect all habitable rooms would be served by good size windows providing adequate access to daylight, outlook and ventilation. The ground floor flats would look out on to areas that are used as means of access into the existing residential buildings. These areas are not through routes or pathways and are used by residents and visitors only. It is not considered that the proposed flats would be subject to unacceptable overlooking or privacy impacts.
- 6.13 At 41m<sup>2</sup> the flats are considered to be of an acceptable size for one bedroom units. Adequate sound proofing would be required to be achieved under the relevant Environmental Health legislation. The proposals are therefore considered to provide a suitable standard of residential accommodation for future occupiers in accordance with Policy DM8 and the Residential Conversions SPD.
- 6.14 Occupants of the flats would have use of the existing communal outdoor garden amenity space within the site. This is considered acceptable and is in accordance with Policy DM10 (Amenity Space) which states that access to communal amenity space is suitable for flats. The site is also centrally located in relation to Reading and has good access to existing public recreation facilities.

**(iv) Impact on neighbouring amenities**

- 6.15 Policy DM4 seeks that development proposals should protect the residential amenity of existing and future occupiers.
- 6.16 Neither the conversion of the garages, the minor elevational alterations nor the siting of the modest bin and cycle storage structures are considered to cause harm to the amenity of neighbouring owners and occupiers. Any noise issues that might arise as a result of the conversion could be reasonably

controlled by separate Environmental Health legislation. The proposal is therefore in accordance with Policy DM4.

**(v) Transport**

- 6.17 Policies DM12 of the Sites and Detailed Policies Document 2012, 2015 and CS20 and CS24 of the Core Strategy seek to address access, traffic, highway and parking relates matters relating to development.
- 6.18 The application buildings are owned by Reading Borough Council and the application confirms that all of the garages are currently empty and are not used for parking due to their small size and accessibility issues.
- 6.19 The site is just located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide a parking provision of 1 space per unit.
- 6.20 The development site is located in an area designated as a Residents Parking Permit Area; Zone 11R. Under the Borough's current parking standards, this proposal may generate additional pressure for parking in the area. Therefore there should be an assumption that any future occupants of the proposed flats will not be issued with resident parking or visitor permits which would be covered by condition and an informative applied. 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.
- 6.21 On-site parking is not proposed for the new dwellings which given the sites central location is considered acceptable, subject to the conditions referred to above to restrict access to on-street parking permits. Existing on-site parking spaces for carers and medics for people using the existing housing would be unaffected.
- 6.22 Cycle parking is provided for the new flats at a ratio of 0.5 spaces per flat equating to 2 secure cycle parking spaces. Cycle storage lockers are to be provided in the eastern part of the site which is considered acceptable. A small bin storage is also proposed the location of which is also considered acceptable. The provision of these facilities can be secured by way of condition.
- 6.23 The proposals are considered acceptable in transport terms subject to the conditions referred to above in accordance with Policies CS20, CS24 and DM12.

**(vi) Affordable housing**

- 6.24 West Berkshire District Council and Reading Borough Council applied for a judicial review of the Secretary of State's Written Ministerial Statement (WMS) to Parliament in 2014 on changes to national planning policy. Those changes sought to exempt developments of 10 or less dwellings from planning obligations for affordable housing and social infrastructure contributions and to introduce a new measure known as the Vacant Building Credit.
- 6.25 The High Court handed down its judgment on the case on 31<sup>st</sup> July 2015. The High Court found in favour of the challenge by the local authorities and quashed the amendments to the NPPG. The Secretary of State appealed the judgment and the Court of Appeal has now quashed the decision of the High Court.
- 6.26 At its meeting of the Strategic Environment Planning and Transport Committee on 13<sup>th</sup> July 2016, the Council discussed the outcome of the Court of Appeal's decision on its challenge (the report can be found here: [http://www.reading.gov.uk/media/5651/Item09-SEPT-C-Report-on-C-of-Appeal-judgement-05-16/pdf/Item09\\_SEPT\\_C\\_Report\\_on\\_C\\_of\\_Appeal\\_judgement\\_05\\_16.pdf](http://www.reading.gov.uk/media/5651/Item09-SEPT-C-Report-on-C-of-Appeal-judgement-05-16/pdf/Item09_SEPT_C_Report_on_C_of_Appeal_judgement_05_16.pdf)).
- 6.27 The Committee agreed the following as the basis for determining planning applications where Policy DM6 of the SDPD is relevant:
- To implement Policy DM6 as currently adopted in the SDPD but excluding proposals that solely involve the conversion of an existing property, where the conversion involves the provision of 10 or less dwelling units (i.e. not HMOs), or the replacement of dwellings by the same number of replacement dwellings where there is no net increase.*
- 6.28 The proposal is itself intended to contribute towards the Council's offer of affordable housing within the borough and as a conversion of an existing building the proposal would not be required to provide an affordable housing contribution in accordance with Policy DM6.

**(vii) Other Matters**

Environmental Protection Issues

- 6.29 The development site may be affected by contamination due to previous use as garages - e.g. oil or petrol may have been spilled on the ground and the vapours may affect the new occupants if the floor is to remain.
- 6.30 The applicant is responsible for ensuring that development is safe and suitable for use for the intended purpose or can be made so by remedial action. Therefore, a 'phase 1' desk study is required to be submitted to determine whether further investigation is necessary.

- 6.31 A condition is recommended to require submission and approval of a phase 1 contamination assessment prior to commencement of works on site as well as further conditions to require implementation of any remedial action, if required.
- 6.32 Informatives are also recommended to control construction hours and to prevent burning of materials on site in the interests of the amenity of surrounding occupiers.

#### Community Infrastructure Levy

- 6.33 The application relates to conversion of existing floor space only and as such would not be liable for the Community Infrastructure Levy.

#### Equalities

- 6.34 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act 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.

## **7. CONCLUSION**

- 7.1 The proposed development is considered acceptable in the context of national and local planning policy, as set out in this report. The application is recommended for approval on this basis.

## **8. PLANS & DOCUMENTS CONSIDERED**

Planning, Design and Access Statement ref. RM P17-2365 dated October 2018

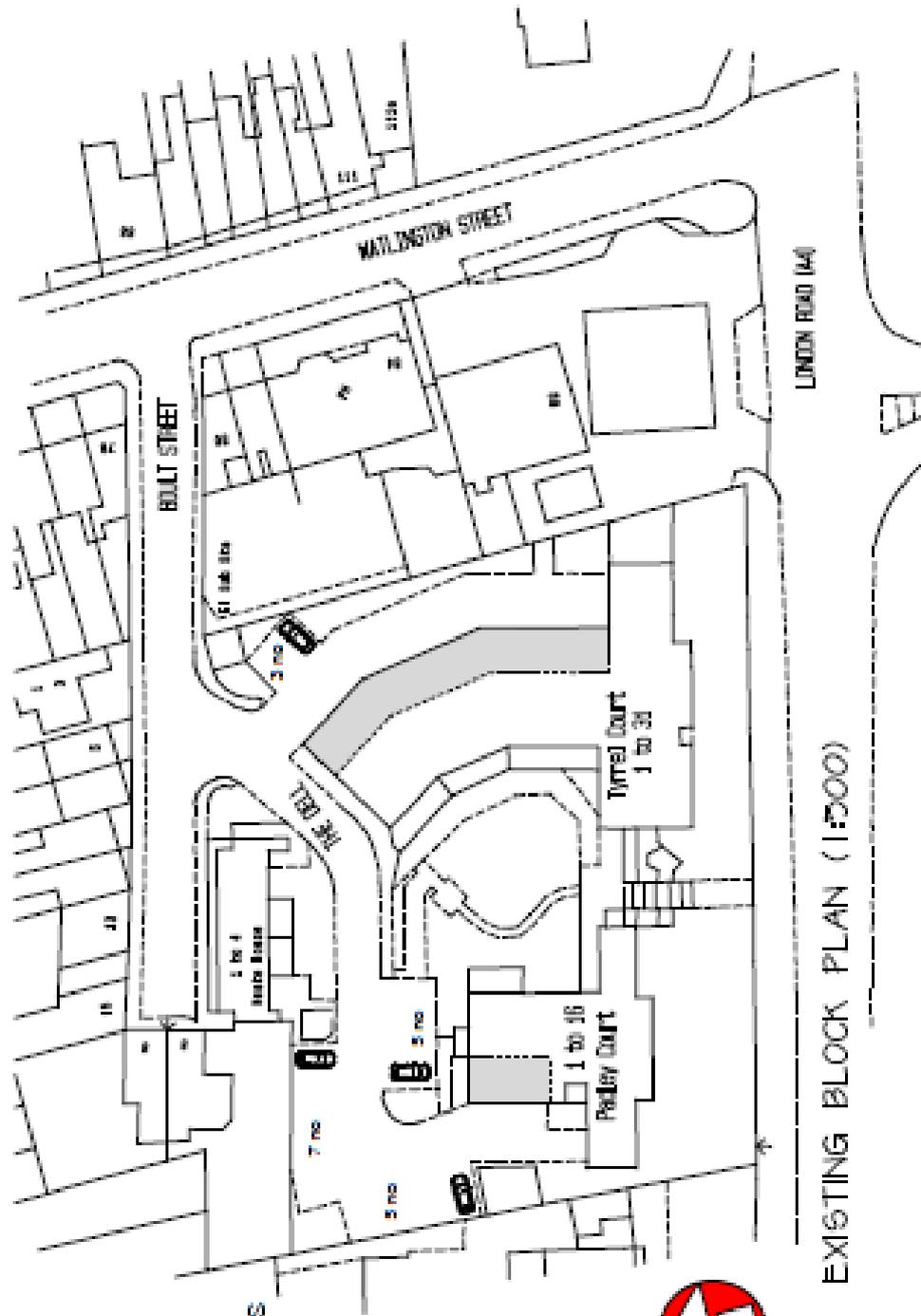
Received by the Local Planning Authority on 23<sup>rd</sup> November 2018

Drawing ref. 16/037/04A - Existing

Drawing ref. 16/037/05B - Proposed

Received by the Local Planning Authority on 2<sup>nd</sup> November 2018

Case Officer: Matt Burns



EXISTING BLOCK PLAN (1:500)

- BLOCK PLAN KEY**  
 31 FLATS TYRELL  
 16 FLATS IN PADLEY  
 20 NO PARKING SPACES  
 12 NO GARAGES



Existing Site Plan

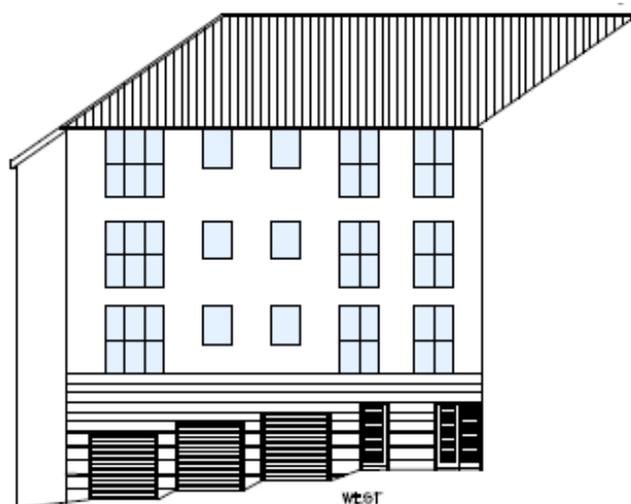


EAST/NORTH EAST

EXISTING ELEVATION (1:100)



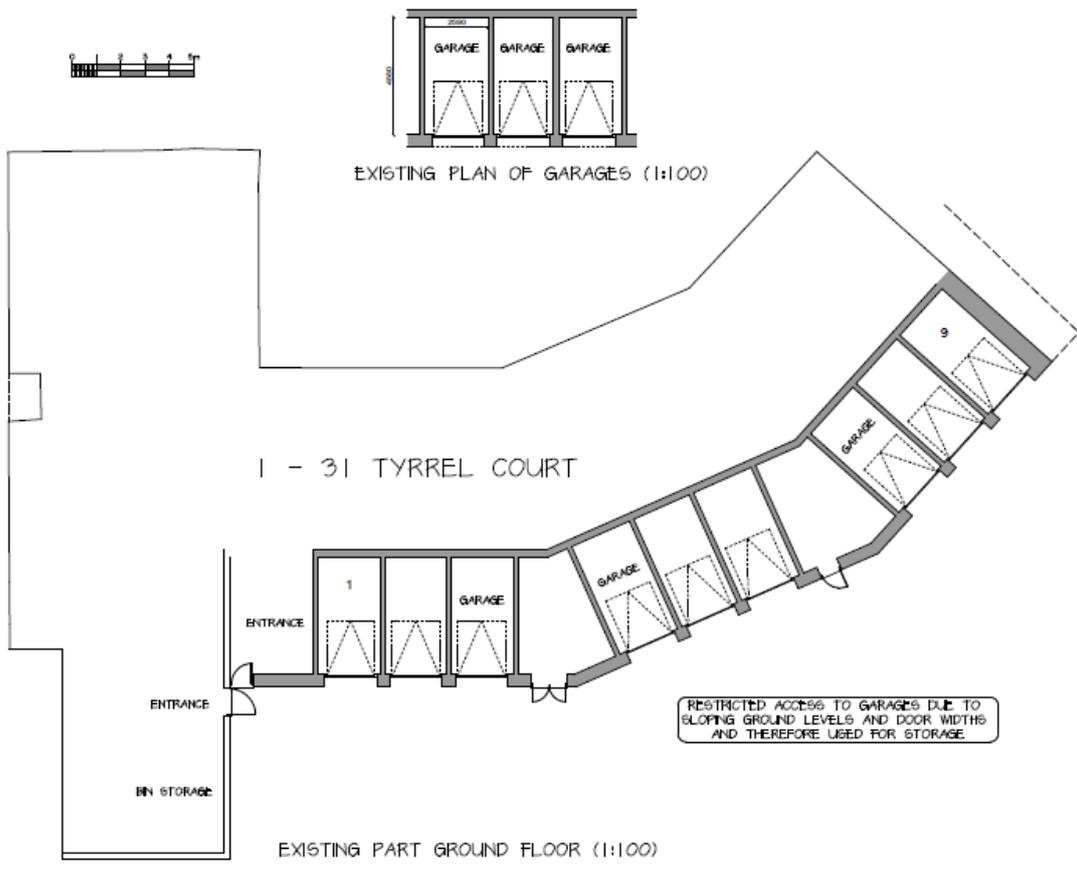
Existing Elevations - Tyrell Court



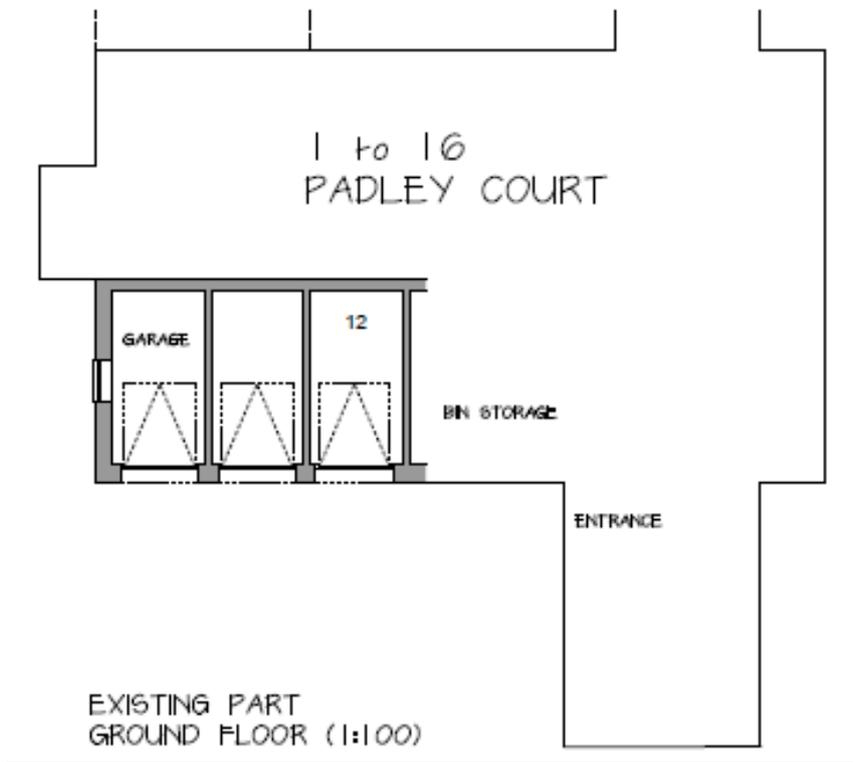
WEST

EXISTING ELEVATION (1:100)

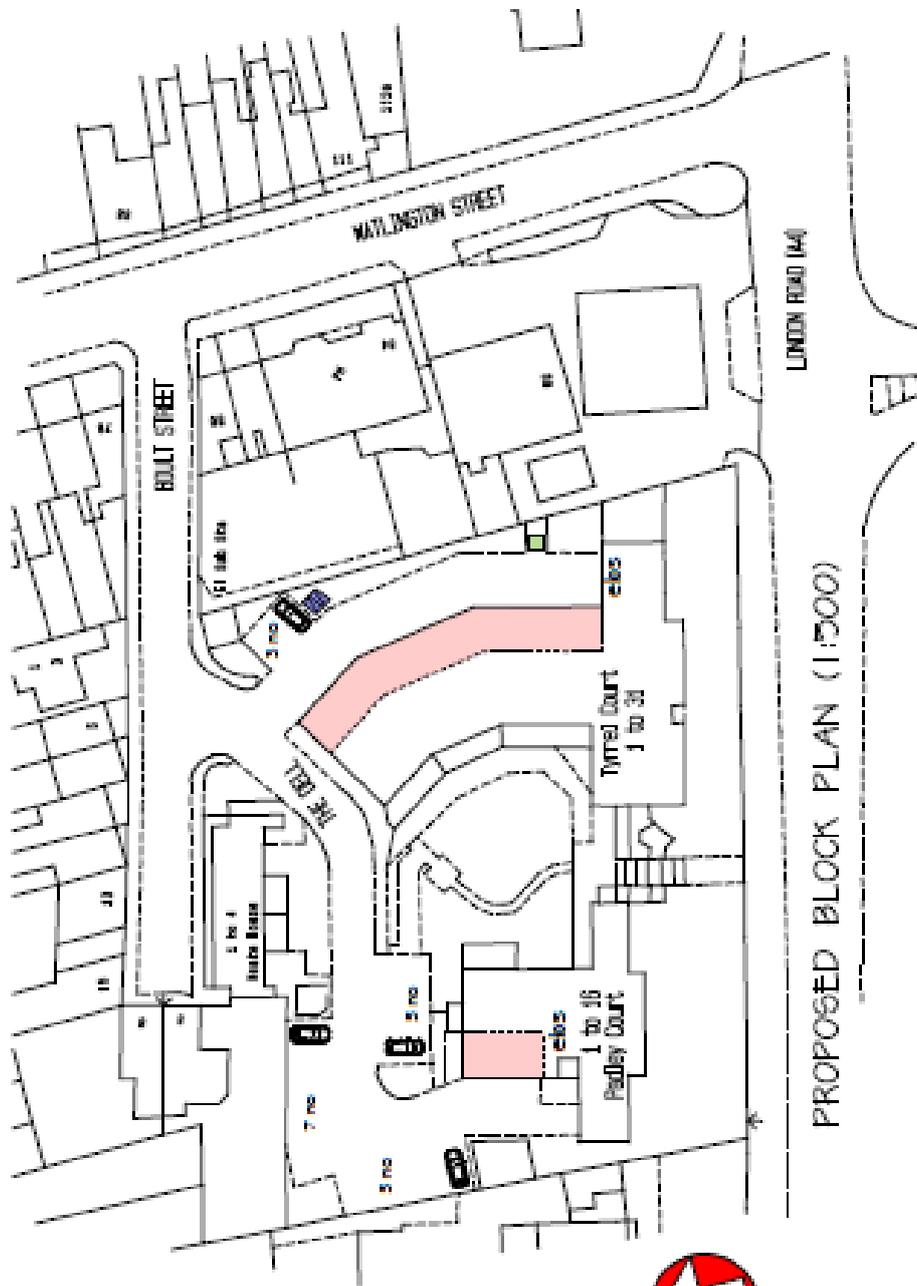
Existing Elevations - Padley Court



Existing Floor Plans - Tyrell Court



Existing Floor Plans - Padley Court



PROPOSED BLOCK PLAN (1:500)

- PROPOSED BLOCK PLAN KEY**
- 31 FLATS TYRRELL
  - 16 FLATS IN PADLEY
  - 20 NO PARKING SPACES
  - 4 NO NEW FLATS
  - EXISTING BIN STORAGE
  - NEW BIN STORAGE
  - NEW CYCLE STORAGE



Proposed Site Plan



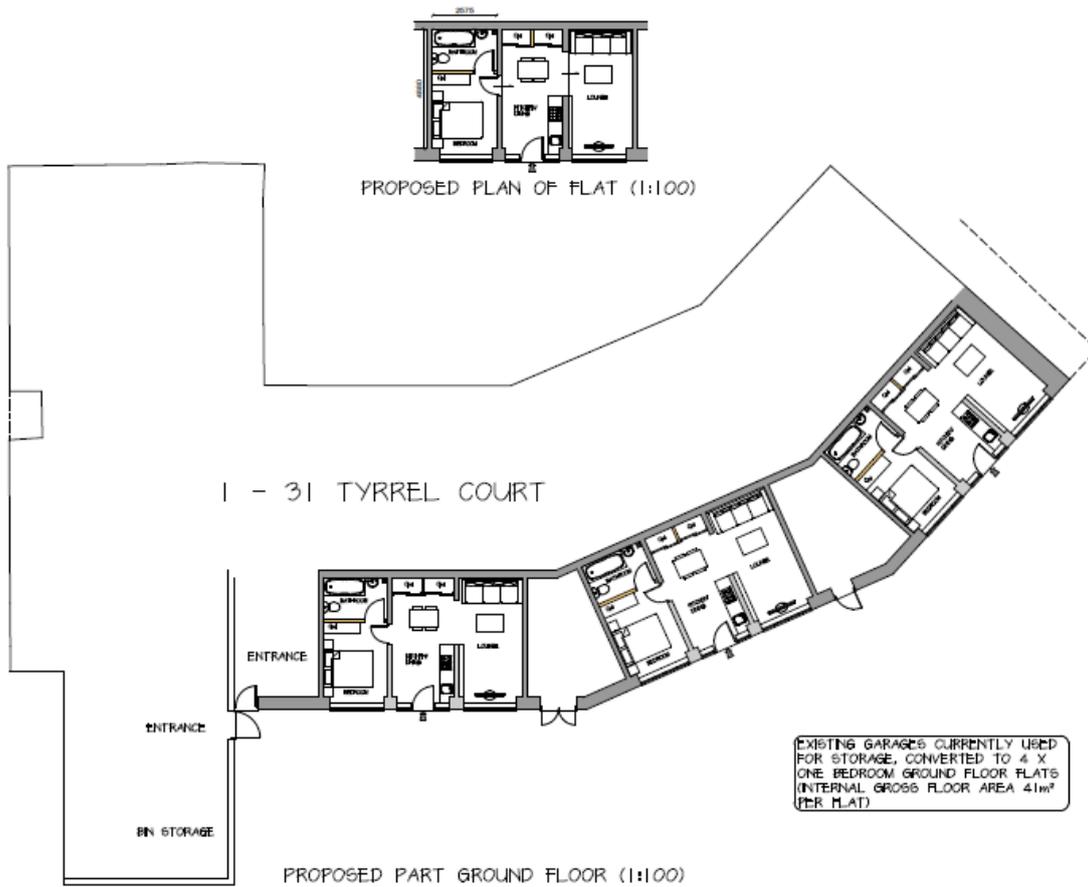
EAST/NORTH EAST  
PROPOSED ELEVATION (1:100)

Proposed Elevations - Tyrell Court

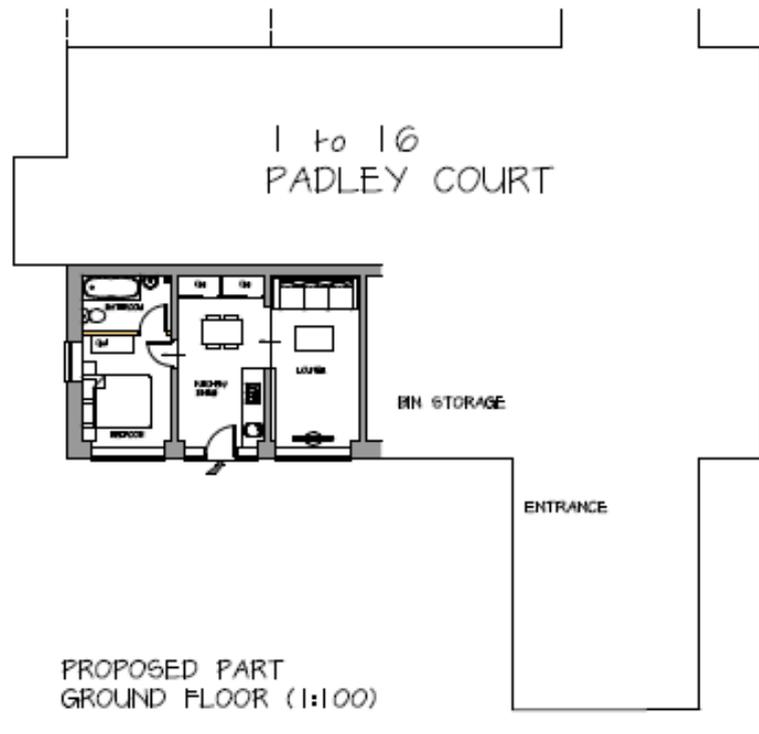


WEST  
PROPOSED ELEVATION (1:100)

Proposed Elevations - Padley Court



Proposed Floor Plans - Tyrell Court



Proposed Floor Plans - Padley Court