

## COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 22 June 2022

ITEM NO.

**Ward:** Coley

**Application No:** 211416/FUL

**Address:** 4 Downshire Square, Reading

**Proposal:** Erection of 1 x detached and 2 x semi detached dwellings following demolition of the existing bungalow and detached garage.

**Applicant:**

**Application target decision date:** Originally 21/10/21. An extension of time has been agreed until 22 September 2022.

### RECOMMENDATION

Delegate to Assistant Director for Planning, Transport and Public Protection Services (AD PTPS) Head of Planning, Development and Public Protection Services to (i) **GRANT** full planning permission subject to completion of a S106 legal agreement or (ii) to **REFUSE** permission should the legal agreement not be completed by 22<sup>nd</sup> September 2022 (unless officers on behalf of AD PTPS agree to a later date for completion of the legal agreement). The legal agreement to secure the following

- a financial contribution of £149,600 towards affordable housing in the Borough in accordance with Policy H3 index-linked from the date of permission, to be paid prior to first occupation as per Affordable Housing SPD
- contract for redevelopment of the site to be agreed prior to demolition of the existing building.

Conditions to include:

1. Standard Time Limit
2. Approved Plans
3. Submission and approval of materials for external materials including: all brick, cladding, glazing, window frames/cills/surrounds/doors, guttering and boundary treatments (pre-commencement)
4. Construction Method Statement (to include no burning on site) (pre-commencement)
5. Vehicle parking (as specified)
6. Vehicle access details (as specified)
7. Access closure with reinstatement
8. Cycle parking details to be submitted (pre-commencement)
9. Refuse and recycling (as specified)
10. Details of Electric vehicle charging point to be submitted (prior to occupation)
11. Vegetation to be removed outside of the bird nesting season (compliance)
12. Details of biodiversity enhancements, to include integral bird and or bat boxes, tiles or bricks on and around the new buildings, and a native and wildlife friendly landscaping including mammal gaps to be submitted (pre-commencement)

13. Hard and soft landscaping details (to include boundary treatment details) to be submitted (pre-commencement)
14. Arboricultural Method Statement (as specified)
15. Removal of Permitted Development rights: Class A, B and E Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 Permitted Development Rights
16. Removal of Permitted Development Rights: no new openings
17. Obscurely glazed first and second floor windows north elevation of detached dwelling
18. Use of flat roof areas restricted (compliance)
19. Retention of railings (compliance)
20. SAP energy assessment Design Stage (pre-commencement)
21. SAP energy assessment As Built (prior to occupation)
22. Hours of construction (compliance)
23. Mix not to be altered (compliance)
24. Removal of Permitted Development Rights: no change of use to C4 HMO

Informatives to include:

1. Terms and conditions
2. Building Regulations
3. Complaints about construction and demolition
4. Encroachment
5. Access construction
6. Highways
7. Do not damage the verge
8. CIL
9. S106 agreement
10. No entitlement to parking permits
11. Pre-commencement conditions agreed by applicant
12. Positive and Proactive

## 1. INTRODUCTION

- 1.1 The site relates to a detached chalet bungalow located on the eastern side of Downshire Square. The property has a large (wide) rear garden and detached garage to the south east of the site. It is one of the widest plots in this part of Downshire Square.
- 1.2 The area is predominantly residential, featuring large detached and semi-detached properties although No.9 (opposite) is used as a care home and the Grade II listed All Saints Church is to the north at the top of the Downshire Square Road. There is a wide variety of design styles.
- 1.3 No.6 Downshire Square to the north is a detached 2 storey dwelling house with accommodation in the roof space. All Saints Court to the south consists of 2 buildings at 3 storey comprising 6 town house dwellings.

- 1.4 The site is within the Downshire Square Conservation Area. The Downshire Square Conservation Area appraisal describes the Conservation Area as a tightly-drawn, essentially Victorian/Edwardian suburb, containing a wide variety of house types with a spacious character.
- 1.5 The site is located within an Air Quality Management Area.
- 1.6 The application was called in to Planning Applications Committee for determination by ward Councillor Terry in light of neighbours' concern about the impact of the proposal on amenity and parking.
- 1.7 The site in relation to the wider urban area is shown below, together with a site photograph.

Site Location Plan (not to scale)



Site photographs - front of site



## 2. PROPOSALS

2.1 Full planning permission is sought for the erection of 1 x detached and 2 x semi detached dwellings following demolition of the existing bungalow and detached garage. This would comprise a square, 2.5 storey detached house with front gable to the north of the site and a pair of 2.5 storey townhouses to the south of the site. Small dormer windows are proposed on the rear roofslope of each dwelling as well as single storey rear additions.

2.2 The materials would include:

Plot 1

Plain tile roof

Red/orange brick

White render

Plots 2 and 3

Plain tile roof

Flemish bond brickwork, red/orange

2.3 Two vehicle parking spaces, to include electric vehicle charging points, are proposed per dwelling (six in total).

2.4 The proposals include indicative soft landscaping and replacement tree planting.

2.5 During the course of the application the vehicular parking arrangements and tree reports have been slightly revised following officer feedback. Some additional revisions have also been made to the proposals to include replacement of rooflights with small dormer windows, lowering of eaves height of the 2 x semi detached dwellings, replacement of glazed gable with a normal gable and a window and omission of front balconies.

2.6 Supporting documents/information submitted:

Proposed Site Plan 02-12 P5

Received 13<sup>th</sup> June 2022

Proposed Street Scene 05-20 P3  
Received 22<sup>nd</sup> March 2022

Proposed Front Elevations 05-10 P3  
Proposed Rear Elevations 05-11 P3  
Proposed Side Elevations 05-12 P3  
Proposed Sections 04-10 P3  
Received 16<sup>th</sup> March 2022

Proposed Ground Floor Plan 03-10 P3  
Proposed First Floor Plan 03-11 P3  
Proposed Second Floor Plan 03-12 P3  
Received 5<sup>th</sup> May 2022

Proposed Landscaping Plan 02-16 P5  
Proposed Highway Plan 02-15 P5  
Arboricultural Impact Assessment Rev A prepared by SJ Stephens Associates report  
date 23<sup>rd</sup> May 2022  
Received 25<sup>th</sup> May 2022

Location Plan 02-00  
Design and Access and Heritage Statement ref 430b dated August 2021  
Bat Roost Assessment prepared by Derek Finnie Associates  
Received 26<sup>th</sup> August 2021

### **3. PLANNING HISTORY**

- 3.1 200571/FUL - Demolition of existing dwelling house and large detached garage and erection of new building comprising of 3 townhouses and 2 flats. The application was refused 17<sup>th</sup> July 2020 under delegated powers and dismissed at appeal 27<sup>th</sup> April 2021. The application was refused for the following reasons:
- 1) The proposed development, due to its overall scale relative to plot size would be overly prominent within its context and would fail to preserve the spacious character of the site which currently contributes positively to the visual amenity of the street. For these reasons, the proposed development would result in an overdevelopment of the site that would not respect the prevailing pattern of development and would fail to preserve or enhance the character and appearance of the street scene and wider Downshire Square Conservation Area. The proposal is therefore contrary to Policy CC7, H11, EN1, EN3, and EN6 of the Reading Borough Local Plan 2019.
  - 2) The proposed development, due to its detailed design and use of materials, combined with the overall scale, bulk and massing, would appear as an inappropriate and unsympathetic development that would not be of a sufficient high quality design that maintains and enhances the character and appearance of the area, nor the wider Downshire Square Conservation Area. This would therefore be contrary to Policies CC7, EN1, EN3, and EN6 of the Reading Borough Local Plan 2019.

- 3) The proposed vehicular parking layout fails to demonstrate that it complies with the Local Planning Authority's standards in respect of vehicle parking. This could result in on-street parking/reversing movements on Downshire Square, adversely affecting road safety and the flow of traffic, and in conflict with Policies TR3 and TR5 of the Reading Borough Local Plan 2019.
  - 4) The application, by virtue of the proposed driveway access, fails to demonstrate that the proposal will not result in the permanent loss of space for a street tree on the frontage, thereby reducing the number of potentially large canopied trees in the area which contribute to the verdant character of the Downshire Square Conservation Area and canopy cover of the Borough, contrary to Policies C7, EN3 and EN14 of the Reading Borough Local Plan 2019.
  - 5) In the absence of sufficient information being submitted at application stage and in the absence of a completed legal agreement to secure a resultant acceptable contribution towards the provision of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough, contrary to Policy H3 and CC9 of the Reading Borough Local Plan 2019 and the Council's Adopted Affordable Housing Supplementary Planning Document 2013.
- 3.2 191358/FUL - Erection of new building comprising 9 flats following demolition of existing bungalow and detached garage. Refused.

#### **4. CONSULTATIONS**

##### **i) Conservation and Urban Design Officer (CUDO)**

4.1 No objection received.

##### **ii) RBC Transport**

4.2 Further to revised information, no objection subject to conditions to include submission and approval of a construction method statement, cycle parking details and electric vehicle charging point details as detailed with the appraisal section of this report.

##### **iii) RBC Environmental Health - Environmental Protection (EP)**

4.3 No objection, subject to conditions to include submission and approval of a construction method statement including details of noise and dust controls, vermin control measures for the bin store, adherence to standard construction working hours and to ensure no waste is burned on site.

##### **iv) Natural environment (trees)**

4.4 Further to revised information, no objection, subject to a condition to secure submission and approval of a scheme of hard and soft landscaping, as detailed within the appraisal section of this report.

v) **Natural environment (ecology)**

4.5 No objection, subject to conditions to secure submission of a scheme for the installation of four swift boxes within the proposed development.

v) **Public consultation**

4.6 Notification letters were sent to nearby occupiers on Downshire Square, Brownlow Road, All Saints Court and Maitland Road. A site notice was displayed and a press notice was published.

4.7 8 letters of representation received (including 1 instance of 2 responses being received from separate occupiers of the same address) objecting with the following concerns:

- overdevelopment of the site
- not in keeping with character of area/conservation area
- loss of bungalow itself
- loss of light and privacy
- increased traffic and parking
- loss of wildlife
- covenant on site

4.8 Upon receipt of revised plans, a further 14-day re-consultation period was undertaken with the same neighbouring properties and consultees. 10 letters of representation received (including 2 instances of 2 responses being received from separate occupiers of the same address) objecting but with no new concerns that had not previously been raised.

The Reading Conservation Area Advisory Committee (CAAC) have also commented on the application and object for the following reasons:

- loss of bungalow would fail to preserve the character and appearance of the conservation area
- possible historic associations with a notable family of Reading business people
- street elevation railings should be retained
- overdevelopment of the site, reducing amenity for neighbours and future occupiers
- discordant elements introduced: first floor balconies, glazed gable on detached property
- parking arrangements will result in noise and pollution
- better design solution would be to retain and extend existing bungalow

## **5. LEGAL AND PLANNING POLICY CONTEXT**

5.1 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.2 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”.

5.3 Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

### **National Planning Policy Framework 2021 National Planning Guidance 2014 onwards**

5.4 The relevant sections of the NPPF are:

Section 2 - Achieving Sustainable Development  
Section 8 - Promoting Healthy and Safe Communities  
Section 9 - Promoting Sustainable Transport  
Section 11 - Making Effective Use of Land  
Section 12 - Achieving Well-Designed Places  
Section 15 - Conserving and Enhancing the Natural Environment  
Section 16 - Conserving and Enhancing the Historic Environment

### **5.5 Reading Borough Local Plan 2019**

CC1: Presumption in Favour of Sustainable Development  
CC2: Sustainable Design and Construction  
CC3: Adaptation to Climate Change  
CC5: Waste Minimisation and Storage  
CC6: Accessibility and the Intensity of Development  
CC7: Design and the Public Realm  
CC8: Safeguarding Amenity  
EN1: Protection and Enhancement of the Historic Environment  
EN3: Enhancement of Conservation Areas  
EN6: New Development in a Historic Environment  
EN12: Biodiversity and the Green Network  
EN14: Trees, Hedges and Woodland  
EN15: Air Quality  
EN16: Pollution and Water Resources  
H1: Provision of Housing  
H2: Density and Mix  
H3: Affordable Housing  
H5: Standards for New Housing



H10: Private and Communal Outdoor Space  
TR3: Access, Traffic and Highway-Related Matters  
TR5: Car and Cycle Parking and Electric Vehicle Charging

## 5.6 Supplementary Planning Documents

Affordable Housing SPD (2021)

Revised Parking Standards and Design SPD (2011)

Sustainable Design and Construction SPD (2019)

Revised SPD on Planning Obligations under Section 106 (2015)

## 5.7 Other relevant guidance

Downshire Square Conservation Area Appraisal (2009)

Historic England Good Practice Advice in Planning Note 1: Conservation Area Designation, Appraisal and Management (Historic England, 2016)

Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking (Historic England, 2015a)

Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Historic England, 2015b)

Principles of Conservation (Historic England, 2008)

Guide to the Conservation of Historic Buildings (British Standards Publication BS 7913:2013, 2015)

Reading Tree Strategy (2021)

Biodiversity Action Plan (2021)

National Design Guide: Planning practice for beautiful, enduring and successful places (2019)

## 6. APPRAISAL

### 6.1 The main issues are considered to be:

- Principle of development and land use considerations
- Demolition, scale, appearance, design and effect on heritage assets
- Natural Environment matters - Trees, landscaping and ecology  
Residential amenity for nearby occupiers
- Quality of accommodation for future occupiers
- Transport/parking matters
- Natural Environment matters - Trees, landscaping and ecology
- Sustainability
- Affordable Housing, S106

### Principle of development and land use considerations

6.2 The NPPF states that LPAs should “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”. The NPPF definition of ‘previously developed land’ excludes private residential gardens.

6.3 Therefore, it is clear that the priority for development should be on previously developed land, in particular vacant and derelict sites and buildings. However, that does not mean that the development of private residential garden land is

unacceptable in principle, rather that previously developed land should be the first choice for housing development.

6.4 The Council's LDF Policy H11 (Development of Private Residential Gardens) makes clear that new residential development that involves land within the curtilage of private residential gardens will be acceptable where:

- 1) It makes a positive contribution to the character of the area;
- 2) The site is of an adequate size to accommodate the development;
- 3) The proposal has a suitable access;
- 4) The proposal would not lead to an unacceptable tandem development;
- 5) The design minimises the exposure of existing private boundaries to public areas;
- 6) It does not cause detrimental impact on residential amenities;
- 7) The emphasis is on the provision of family housing;
- 8) There is no adverse impact on biodiversity, and
- 9) The proposal does not prejudice the development of a wider area.

6.5 Therefore, while the proposed site is not 'previously developed land', the principle of redevelopment is considered acceptable providing the criteria outlined in Policies H11 (Development of Private Residential Gardens) and H2 (Density and Mix) are met.

6.6 With regard to the principle of the proposed use, from purely a land use perspective, a proposal to introduce three residential units in this sustainable location would comply with the broad objectives of Policy H1 (Provision of Housing) by contributing towards meeting the housing needs within the borough. Furthermore, in terms of the housing mix (size of units), the principle of providing family sized accommodation is welcomed. A compliance condition is recommended to secure the mix proposed to ensure that the proposed development provides the range of housing opportunities required by Policy H2.

**Demolition, scale, appearance, design and effect on heritage assets**

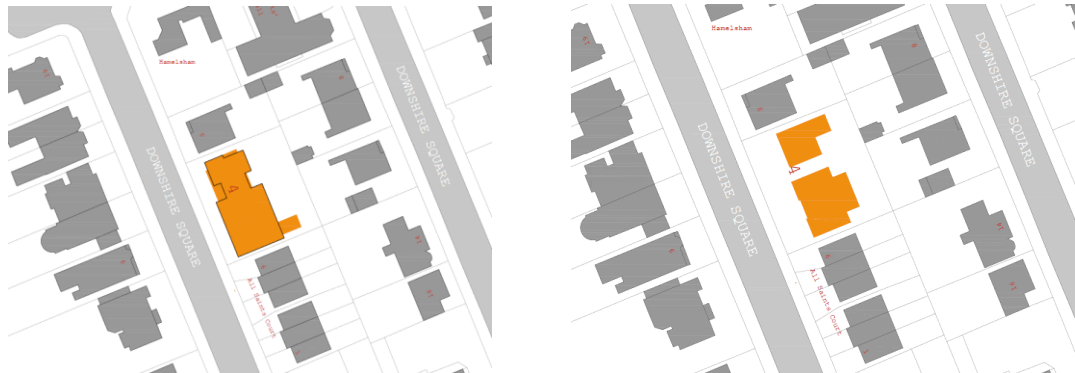
6.7 Policies CC7 (Design and the Public Realm) and H11 (Development of Private and Residential Gardens) both seek to ensure that new development enhances and preserves the local character.

6.8 The site lies within the Downshire Square Conservation Area and as such there is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regards to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

6.9 This is reflected in Policy EN1 (Protection and Enhancement of the Historic Environment) which states that historic features and areas of historic importance and other elements of the historic environment, including their settings, will be protected and where appropriate enhanced. Policy EN3 (Enhancement of Conservation Areas) seeks that development proposals preserve and enhance the special character of conservation areas.

- 6.10 Paragraph 199 of the NPPF 2021 details that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.11 The Downshire Square Conservation Area appraisal describes the Conservation Area as a tightly-drawn, essentially Victorian/Edwardian suburb, containing a wide variety of house types and architectural styles. It further notes that properties within the core of the area front streets of some width (reflecting their formal planned layout), with street trees adding character and a spacious feel to the area. The Conservation Area appraisal also notes how properties are set back from the back edge of the pavement, contributing to spacious character.
- 6.12 The site is a sizeable plot, with a broad frontage along Downshire Square and, as noted above, it is one of the wider plots in the Downshire Square Conservation Area. It is acknowledged that, as existing, No.4 Downshire Square is somewhat of an anomaly within the street scene, being the only bungalow within the immediate area. It is noted that the Inspector for the 200571 appeal which was dismissed, did not raise any objection to the loss of the bungalow itself. That said, its diminutive scale is unobtrusive within the street scene and the bungalow does not detract from the character of the area. Demolition within the conservation area is therefore considered appropriate subject to the proposed replacement buildings(s) being suitable in design and related terms, as discussed below.
- 6.13 Further to the above, this permission includes the demolition of an unlisted building in the conservation area. However, officers are concerned that demolition of the bungalow without subsequent rebuilding would leave an unsightly gap within the conservation area. As such, a clause within the s106 agreement will require a contract for the redevelopment to have been entered in to and agreed with the local planning authority prior to demolition, to secure the rebuilding of the proposal within this report. The aim of this would be to reduce the risk of an unsightly gap being left within the street for any significant length of time prior to redevelopment.
- 6.14 Refused application 200571 was for 5 flats contained within a three storey building occupying nearly the full of the width of the plot. The building was substantially wider and deeper than its immediate neighbours and sited a substantial amount of built form towards the front of the site. It also involved significant projection of built form forward of All Saints Court to the south. Overall, the proposed building was considered to result in a visually jarring and unacceptably prominent feature that would appear cramped and overdeveloped within the site constraints.
- 6.15 The current scheme is for 3 dwellings comprising two buildings - a detached house and pair of semis. Both buildings would have a lower height than previously proposed and with greater gaps to the side boundaries - as well as a gap between

the two proposed buildings themselves. The scale and layout now proposed has been improved to reflect the prevailing spacing of buildings within the wider conservation area and would preserve the sense of spaciousness which characterises the area and which was a concern previously.



Layout refused/dismissed, ref: 200571

Current proposed layout

- 6.16 The proposed detached house would be no higher than No.6 Downshire Square to the north and the proposed semi detached pair would be no higher than All Saints Court to the south. The third storey is largely contained within the roof space with the eaves line broadly reflecting that of neighbouring buildings either side. When seen from all nearby vantage points the proposed size of the buildings would fit comfortably within the prevailing scale of the street. The areas of soft landscaping and tree planting within the development would provide a spacious feel in keeping with the character of the area. However, officers also acknowledge and consider that the proposed scale and layout is at the maximum permissible at the site, and any larger would start to impact negatively in character terms.
- 6.17 In terms of the detailed design of the proposals, appearance and choice of materials, the applicant has intentionally selected elements from nearby buildings within the design such as the brickwork and gable features and it is considered that the appearance would be in keeping with the character and appearance of the conservation area. The rhythm of the street scene would be maintained, with, as above, design cues taken from nearby properties, including the size and positioning of windows and doors as well as unobtrusive rear dormer windows and small scale single storey elements.
- 6.18 The success of the scheme will also be dependent on the quality and finishing materials. As such, it is considered necessary to secure a condition for samples of all facing materials to be submitted/approved prior to commencement of works to ensure high quality finishes are to be used.



Front elevation refused ref 200571



Current proposed front elevation

6.19 The proposals seek to retain the original railings at the front of the site, the preservation of which is welcomed and appropriate and will be secured via condition. The proposed brick boundary wall and railings would be in keeping with the wider area.

6.20 The overall design approach is considered to be suitable and appropriate within the context of the street scene and wider conservation area. The proposals are considered to have overcome the reasons for dismissal of the appeal for the previous application (ref. 200571) in design and heritage terms. The proposals are considered to accord with Policies CC7, EN1, EN3, EN6 and H10.

#### **Natural Environment - trees, landscaping and ecology**

6.21 Policy CC7 (Design and the Public Realm) seeks that development is of high design quality and maintains and enhances the character of the area in which it is located including landscaping. Policy EN14 (Trees, Hedges and Woodlands) requires new development to make provision for tree retention and planting. Policy EN12 (Biodiversity and The Green Network) requires that new development should provide a net gain for biodiversity where possible and should incorporate biodiversity features into proposals where practical.

6.22 Since application 200571 was dismissed at appeal, a new street tree (lime) has been planted and the proposed design and site layout includes the retention of this street tree. This tree will grow to positively contribute to the character of the street and wider conservation area its retention is welcomed and appropriate.

6.23 An indicative landscaping plan has been provided which includes provision of 8 new trees, an overall net gain of trees on the site, which is appropriate. The proposal also includes landscaped garden areas and soft landscaping along the frontage. The Council's Natural Environment Officer has confirmed that the new trees, given their location and spacing provided, will have the potential to grow to medium sized crowns, which will improve the street scene and the canopy cover in the area. A pre-commencement landscaping condition is recommended which will secure planting details to include the species, maintenance and management schedule.

6.24 The Council's Natural Environment Officer has confirmed that the information provided demonstrates that the development could be carried out without harm to retained trees and such measures will be secured by way of condition.

6.25 A bat survey report has been submitted with the application and the Council's Ecologist considers that this has been undertaken to an appropriate standard. The

report concludes that the risk of the proposal adversely affecting bats is minimal as the building is unlikely to host roosting bats and this conclusion is agreed with by the Council's Ecologist.

- 6.26 In accordance with paragraph 180 of the NPPF, which states that "*opportunities to incorporate biodiversity in and around developments should be encouraged*", a condition is recommended to ensure that enhancements for wildlife are provided within the new development. This will include bird and bat boxes on the proposed buildings and it will also be appropriate to ensure that mammal gaps around the boundary are provided and this will also be secured by way of condition.
- 6.27 In natural environment terms, it is considered that landscaping and biodiversity enhancements will be significant and will serve to preserve the spacious and well-treed character of the conservation area as well as improving the ecology of the site. As such, the proposals are acceptable on tree/landscape and ecological grounds and it is considered that the previous reason for refusal has been overcome and the proposals are compliance with Policies CC7, EN12 and EN14.

#### **Amenity for nearby occupiers**

- 6.28 Policy CC8 (Safeguarding Amenity) requires developments to not cause a detrimental impact on the living environment of existing properties in terms of: Privacy and overlooking; Access to sunlight and daylight; Visual dominance and overbearing; Harm to outlook; Noise and disturbance; Artificial lighting; Vibration; Dust and fumes; Smell; and Crime and safety.
- 6.29 In respect of visual dominance, outlook and overbearing matters, it is acknowledged that for existing nearby occupiers, the context will undoubtedly change as a result of the proposed development.
- 6.30 In relation to No.6 Downshire Square, to the north west of the site, the proposed building would not project forward of this property. Whilst it would project past the rear elevation of No.6 this would be for a modest depth at two storey - and would not breach a 45 degree line to the nearest habitable rear window of No.6. The flat roof of the single storey rear element would help to minimise the impact and given the distance of approximately 1.4m to the common boundary, this is not considered to result in any significant material overbearing effects to the occupiers of this property. There are two upper floor windows on the flank elevation of No.6. The first floor window is a secondary bedroom window with an alternative source of light and the second floor window serves a bedroom within the roof accommodation. Given the position of the proposed building which would be set back within the plot relative to this window, the neighbouring window in question would look across the roof slope and would retain reasonable views of the sky and retain reasonable levels suitable daylight. Whilst clearly visible it is not considered to result in any significant material loss of light or overbearing effects such to warrant a refusal on this basis. The proposed windows on the north west flank elevation to serve a staircase are shown on the plans to be obscurely glazed, which will be secured by way of a suitably worded condition to prevent any material loss of privacy.

- 6.31 In relation to All Saints Court, to the south east of the site, the proposed houses would not project past either the front or rear building line and would not breach a 45 degree line to the nearest habitable room window. The roof would be hipped away from the boundary to minimise the impact and given this and the distance of approximately 2.5m between the two buildings, whilst visible it is not considered to result in any materially harmful overbearing effects. There are two upper floor windows on the flank elevation of All Saints Court. Both these windows serve a stairwell. The proposed windows on the south east flank elevation of the southern townhouse are shown on the plans to be obscurely glazed, which will be secured by way of a suitably worded condition to prevent any material loss of privacy.
- 6.32 In relation to the properties to the rear of the site (8, 10 and 12 Downshire Square), the increase in building size from the single storey bungalow to a two and half storey building will make a change to the outlook for these existing properties. However, with the back-to-back distance of approximately 22m from the rear of the proposed building to the rear of these properties this is not going to result in any material loss of light or have an overbearing impact. Similarly, given the aforementioned distance between buildings - which is greater than the 20m back-to-back distance recommended in Policy CC8 - the proposals are not considered to result in any significant material loss of privacy - and, indeed, would be a similar relationship as that between the adjacent properties to No.4 and the dwellings to the rear of them.
- 6.33 It is noted that adverse impact on neighbouring amenity did not form a reason for refusal of application 200571 and nor did the Inspector raise any concern in this respect.
- 6.34 In terms of noise, vibrations, dust and fume considerations, it is considered that both during the construction phase, and subsequently, the proposals will be acceptable subject to a variety of conditions for any permission. A construction method statement will therefore be secured via condition and is required from a highway safety perspective too. Officers consider that no significantly harmful amenity impacts would occur, subject to conditions and in compliance with Policy CC8 in particular.

#### **Quality of accommodation for future occupiers**

- 6.35 Policy H5 (Standards for New Housing) seeks that all new build housing is built to high standards. Policy EN16 (Pollution and Water Resources) seeks to protect future occupiers from the impacts of pollution and Policy H10 (Private and Communal Outdoor Space) seeks that residential developments are provided with adequate private or communal outdoor amenity space.
- 6.36 It is considered that the proposals will provide an overall good standard of accommodation throughout with fairly regular shaped rooms providing suitable outlook, natural lighting and ventilation. Internally, the floor spaces will largely comply with the space standards as set out in Policy H5. Whilst the actual useable floorspace of bedrooms 1 (as annotated) to the semi detached dwellings may fall

minimally below the space standards, given these are fourth bedrooms this is not considered to be unacceptable and it is considered that the dwellings will still provide for an adequate standard of accommodation for future occupiers.

- 6.37 There will be no upper floor windows on the flank elevations of the buildings facing each other and this will be secured by way of a suitably worded condition so as not to result in any material loss of privacy.
- 6.38 Each dwelling will have its own garden, made up of both patio and garden area. Whilst smaller than some of the garden sizes in the area, they would, overall, not be too dissimilar in size (in terms of depth or width) to the garden sizes of All Saints Court to the south east and so would not be out of character with the immediate area. The gardens areas considered to be well designed with space for suitable sitting-out areas and associated functions and in this context it is considered that although the gardens will not be as expansive as those to the north and east this, this in itself is not considered to be sufficient grounds to resist the proposals. The plans also include conveniently located cycle and waste storage facilities.
- 6.39 It is noted that the amount of garden space did not form a reason for refusal of application 200571 and nor did the Inspector raise any concern in this respect.
- 6.40 In order to help ensure future residents maintain sufficient amenity space (and to protect neighbouring amenity) and to preserve the character and appearance of the conservation area, it is proposed to remove Permitted Development (PD) rights in relation to Class A (enlargement improvement or alteration), B (roof additions), Class C (rooflights) and Class E (outbuildings).
- 6.41 Therefore, the proposal is considered to provide an overall suitable standard of accommodation, within the context of the constraints of the site and in accordance with Policies H5 and H10 in particular.

#### **Transport/parking matters**

- 6.42 Policies TR1 (Achieving the Transport Strategy), TR3 (Access, Traffic and Highway-Related Matters) and TR5 (Car and Cycle Parking and Electric Vehicle Charging) seek to address access, traffic, highway and parking relates matters relating to development.
- 6.43 The site is located within Zone 2, Primary Core Area of the Council's adopted Parking Standards and Design SPD. This zone directly surrounds the Central Core Area of the borough and extends to walking distances of 2 kilometres from the centre of Reading. Typically, this zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone. The site is in a sustainable location close to a number of bus routes.
- 6.44 In accordance with the SPD, the development is required to provide 2 parking spaces for each dwelling. The proposals will provide 2 parking spaces for each dwelling, which will also include an electric vehicle charging point for each dwelling as required by Policy TR5 which is acceptable.



- 6.45 Some initial concerns were raised in relation to the suitability of the parking area from a manoeuvrability perspective (possible instances of there being insufficient widths/depths, causing difficulties for access and egress). Accordingly, during the course of the application, tracking diagrams have been submitted to illustrate the ability to access and egress the parking spaces, and this is now considered acceptable.
- 6.46 A plan demonstrating visibility splays was also provided during the course of the application, given the proposed new access. The Council's Transport Officer is satisfied that the required visibility splays of 2.4m x 43m can be achieved. The proposals also demonstrate an acceptable width of the access (minimum 4.2m wide) to allow vehicles to pass one another whilst entering and exiting the site.
- 6.47 The development is required to provide 2 cycle parking spaces per dwelling. Cycle storage for each dwelling has been shown on the proposed block plan and further details regarding the design and specification will be secured via condition.
- 6.48 Two central bin collection points adjacent to the access point are provided which will allow for kerb side collection which is acceptable.
- 6.49 The local concern raised in respect of parking demand is noted. However, as above, the proposals provide an acceptable level of parking for the proposed units within the site when assessed against policy and SPD and therefore there is no policy reason to expect parking to spill over on to the public highway. Downshire Square itself is not within a controlled parking zone. Streets beyond are controlled in this way and an informative will be attached to any permission advising future occupants of the new dwellings that they will not be automatically entitled to a residents or visitors parking permit.
- 6.50 Officers advise that there are no transport objections to the proposed development subject to conditions and informatives and the proposal is considered to be in accordance with Policies TR1, TR3 and TR5 and the SPD.

#### **Sustainability**

- 6.51 No specific information has been submitted in relation to the sustainability of the proposed development. However, the proposals include electric vehicle charging points for each dwelling and additional tree planting which is welcomed
- 6.52 Notwithstanding, Policy H5 (Standards for New Housing) requires that all new build housing integrate additional measures for sustainability. In light of this conditions are recommended to ensure the development meets the following requirements:
- Higher water efficiency standards of 110 litres per person per day; and
  - A 19% improvement over building regulations energy requirements

- 6.53 Although secured by planning condition, these new requirements will be controlled through the Building Regulations. Confirmation of compliance will need to be submitted to the LPA to discharge the condition.

#### **Affordable Housing, S106**

- 6.54 Policy H3 (Affordable Housing) requires that '*...on sites of 1-4 dwellings, a financial contribution will be made that will enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the Borough*'.
- 6.55 The proposal seeks to create 2 additional units (1 of the 3 proposed units would be classified as a replacement dwelling for the existing bungalow, leaving a requirement for a contribution of a net increase of 2 residential units at the site).
- 6.56 The applicant has provided details of three independent valuations of overall Gross Development Value (GDV) of the proposed development and based on these and using the calculation within the Affordable Housing SPD, the Affordable Housing contribution figure will be £149,600.00 as a financial contribution which will enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the borough in accordance with policy requirements. This will be secured via S106 Legal Agreement.
- 6.57 As such, the proposal is considered acceptable in relation to Policy H3 and the Council's adopted Affordable Housing SPD 2021 subject to the completion of a S106 Legal Agreement to secure the contribution.

#### **Other matters**

##### **CIL**

- 6.59 The proposal will be a Community Infrastructure Levy (CIL) liable development. The applicant has provided the CIL Additional Information Form. Based on the information provided by the applicant and the 2022 CIL rate, this is estimated to amount to £42,731.64 (537m<sup>2</sup> of the proposals - 263.m<sup>2</sup> (bungalow and garage to be demolished) x £120 per m<sup>2</sup> x 2022 indexation (£156.24)). An informative will be attached to the decision notice to advise the applicant of their responsibilities in this respect.

##### **Other matters raised in representations (not covered above)**

- 6.59 All material considerations discussed in the above report. Responses to other matters raised in neighbour representation (officer comment in bold and italic):
- 6.60 Concern that there is a covenant on the site that restricts development. ***Any restrictive covenants are not a material planning consideration.***
- 6.61 Concern that the properties will become Houses in Multiple Occupation (HMOs). ***The proposal is for Class C3 residential units (no indication of HMOs being proposed). If permission was granted and material changes were made to the scheme the applicants would need to apply for permission to these changes; these would then be assessed on their own merits. It is also recommended that***

*Permitted Development right to change to Class C4 HMO are removed on the basis that the application is specifically for Class C3 and compliance with the criteria and design requirements for HMOS set out under Policy H8 (Residential Conversions) has not been demonstrated.*

- 6.62 Concern raised about flooding. *The site is not in an area identified as being at risk of flooding and the proposal is not considered to represent an unacceptable flood risk to future occupiers.*

#### **Pre-Commencement Conditions**

- 6.63 Pre-commencement conditions - In line with section 100ZA(5) of the Town and Country Planning Act (as amended) discussions are being undertaken with the applicant regarding pre-commencement conditions. To be advised in an update report.
- 6.64 Equality - In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. It is considered that there is no indication or evidence that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular application.

## **7. CONCLUSION**

- 7.1 This proposal has been considered in the context of the previous appeal dismissal on the site and the relevant Development Plan Policies, National Policy and Guidance and other material considerations as set out within the report. The proposal is considered to be well-designed and would preserve the character and appearance of the Downshire Square Conservation Area. Matters to do with residential amenity, parking and the natural environment are satisfactorily addressed in the above report. Furthermore, the proposals would provide a suitable provision towards meeting the needs for affordable housing in the Borough.
- 7.2 Officers have worked positively and proactively with the applicant on this scheme, with amendments secured which are considered to satisfactorily address various design issues and overall officers considered this to be a supportable scheme, which accords with relevant and national policy. The recommendation is therefore to grant full planning permission subject to the conditions and the completion of a S106 legal agreement as detailed above.

**Case Officer:** Ethne Humphreys

Drawings:



Proposed Site Plan



<b>Finishes</b> <b>Plot 1</b> 1. Floor tile 2. Bathrooms 3. Kitchen 4. Wall 5. Etc	<b>Plot 2 &amp; 3</b> 1. Floor tile 2. Bathrooms 3. Kitchen 4. Wall 5. Etc	 <b>Colony</b> Planning & Architecture 430D 05-10 23	<b>Product</b> Planning & Architecture 430D 05-10 23	 <b>RIBA</b> Registered Architect RIBA No. 1234567
--	---	---	--	---

Proposed Front Elevations



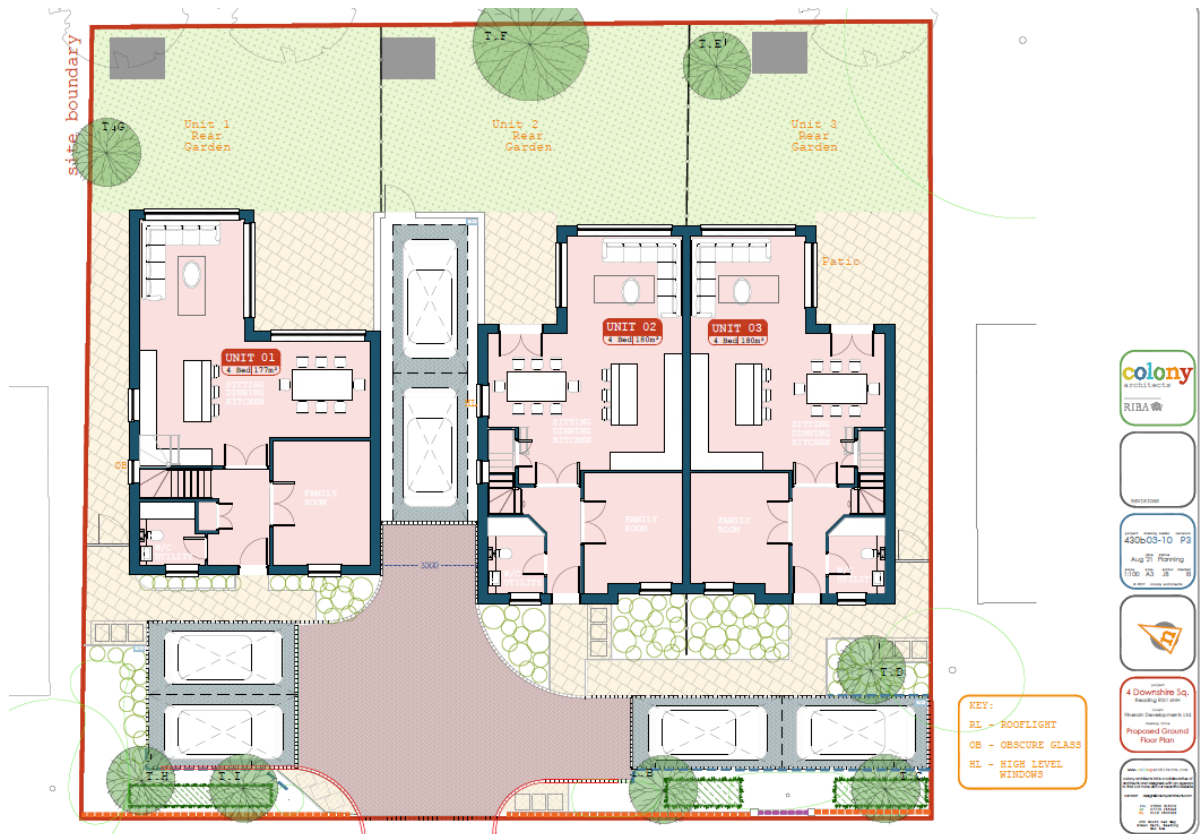
			
Collaborating with: <b>Fiservac Developments Ltd</b>			<b>Colony Architects Ltd.</b> The Old Mill, Abbey Court, Tisbury, Wiltshire, SP13 5JF
Job: 430b	Drawing: 05-11	Revision: P3	Date: 09/2020
Drawing Name: 430b-05-11-01	Status: P3	Scale: 1:100	Project: Planning
Checked By: [Signature]	Drawn By: [Signature]	Date: 09/2020	Project: Planning

### Proposed Rear Elevations

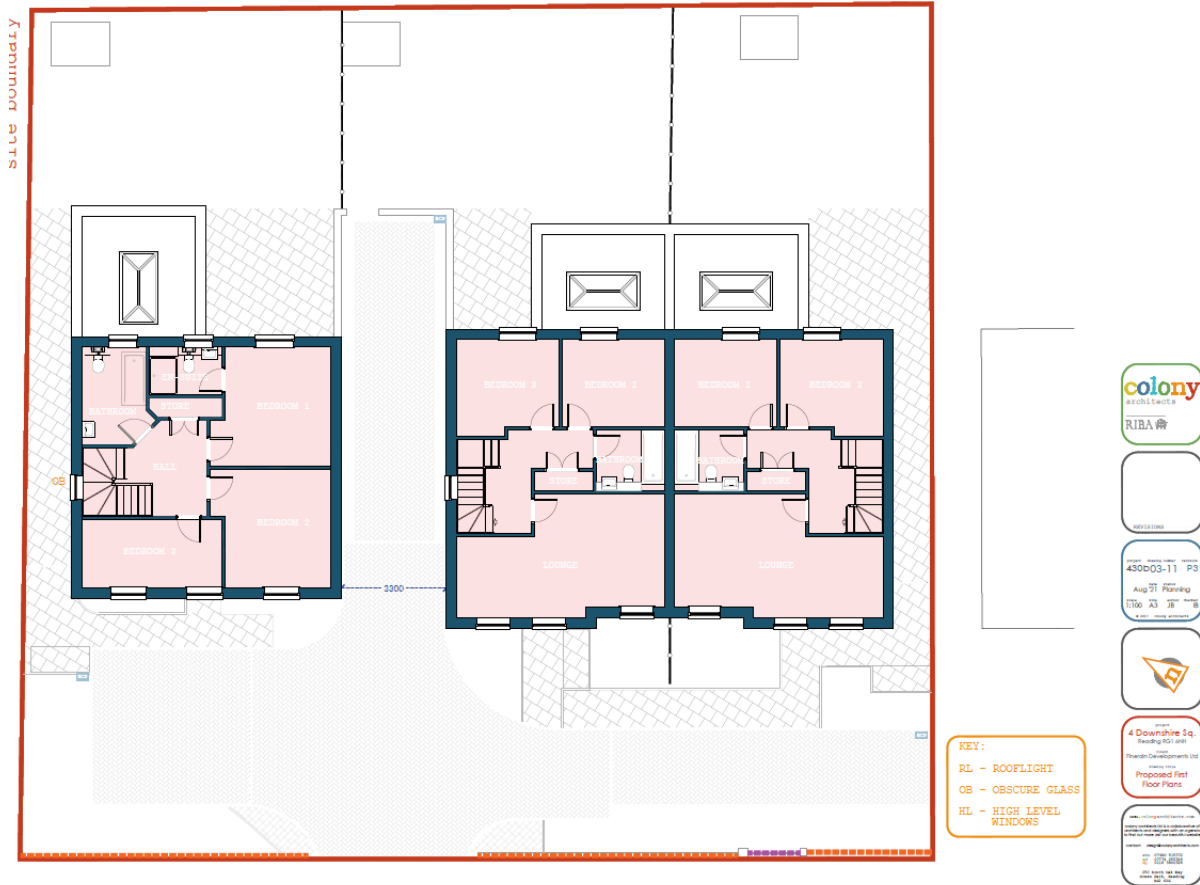


			
Collaborating with: <b>Fiservac Developments Ltd</b>			<b>Colony Architects Ltd.</b> The Old Mill, Abbey Court, Tisbury, Wiltshire, SP13 5JF
Job: 430b	Drawing: 05-20	Revision: P3	Date: 09/2020
Drawing Name: 430b-05-20-01	Status: P3	Scale: 1:100	Project: Planning
Checked By: [Signature]	Drawn By: [Signature]	Date: 09/2020	Project: Planning

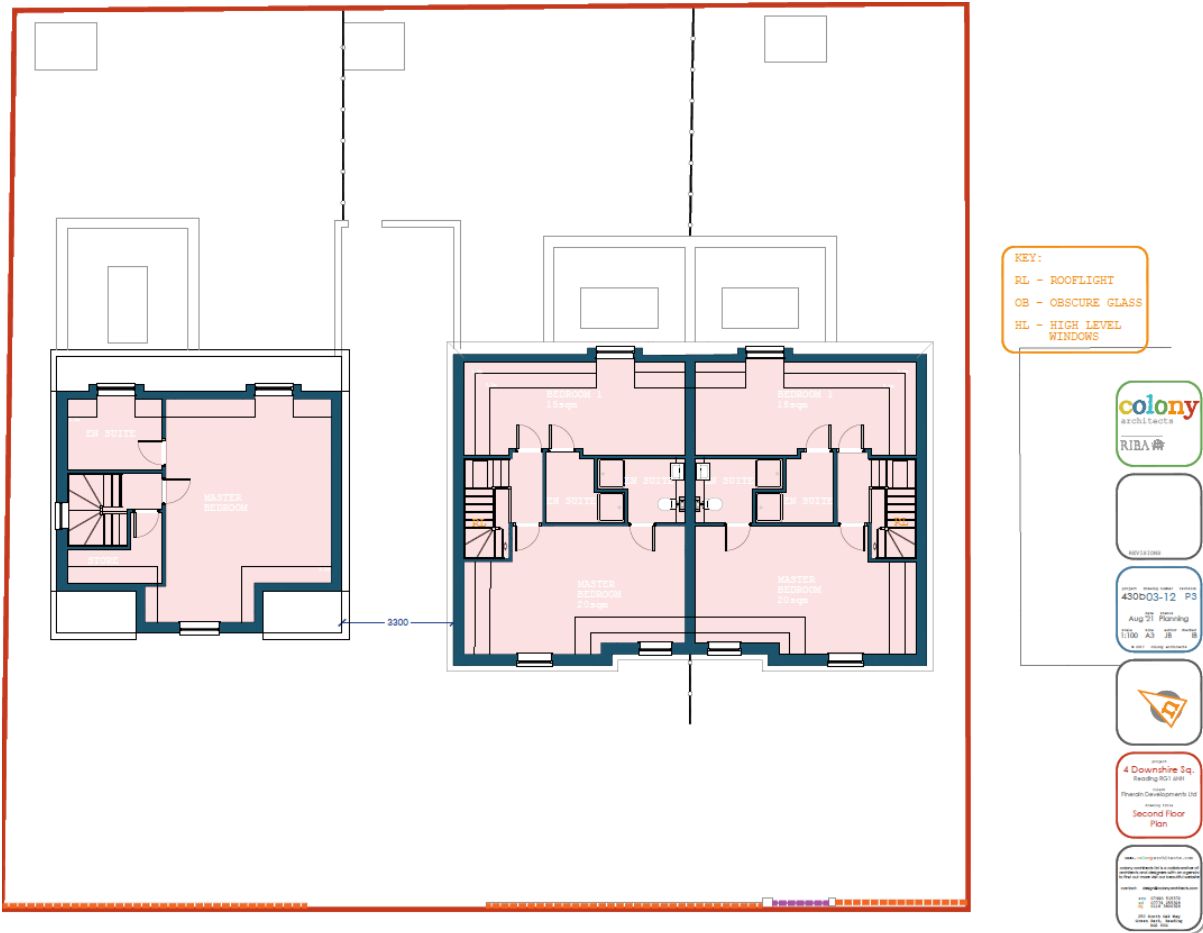
### Proposed Street Scene



Proposed Ground Floor Plan



Proposed First floor Plan



Proposed Second Floor Plan