

COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 1st March 2023

Ward: Norcot

App No: 221693/FUL

Address: 63-86 Rowe Court, Reading

Proposal: Demolition of any remaining fire damaged structure and re-instatement of 63-86 Rowe Court to provide a four-storey building, comprising of 24 studios/ one-bed, one person homes, associated car parking, cycle parking, refuse, amenity space and landscaping

Applicant: C/O Agent

Agent: Mr Jon Murch

Target Date: 22nd February 2023 (Extended until 3rd March 2023)

RECOMMENDATION: GRANT full planning permission subject to the following conditions and informatives:

CONDITIONS:

1. Standard Time Limit
2. Approved Plans (Officers recommend plans submitted under those listed for 'Option 2')
3. Materials as specified
4. **[Pre-commencement]** Construction Method Statement
5. Vehicle Parking (as specified)
6. Cycle Parking (as specified)
7. Refuse and Recycling (as specified)
8. Biodiversity enhancements (to be approved)
9. Lift to be retained in perpetuity
10. Communal amenity space to remain in communal use at all times
11. **[Pre-commencement]** SAP Major - As Designed
12. SAP Major - As Built
13. Hours of Construction
14. Mechanical Plant - Noise Assessment (to be approved)
15. Sustainable Drainage (as specified)
16. **[Pre-commencement]** Arboricultural Method Statement
17. Landscaping details (to be approved)
18. **[Pre-commencement]** Employment, Skills and Training
19. Site security strategy (to be approved)

INFORMATIVES:

1. Terms
2. Reason for pre-commencement conditions and agreed by agent
3. Building Control
4. Complaints about construction and demolition
5. Encroachment
6. Highways
7. CIL
8. Positive and Proactive

1. INTRODUCTION

- 1.1 63-86 Rowe Court formally comprised of a privately owned residential block comprising of 3 storeys (with accommodation in the roof) containing 24 studio/ 1 bed apartments (including 2 duplex apartments). On 15th December 2021, the block was largely destroyed in a fire started by arson which led to two fatalities. In early 2022, the site was flattened as the structure was deemed unsafe to remain. In March 2022, the site was handed over to the applicant from the police, since when it has remained untouched and closed off from the public by locked hoarding.
- 1.2 The remainder of Rowe Court, a cul-de-sac, comprises of 15 blocks of residential dwellings, a mixture of flats and two storey dwellings. Properties were built in the 1980s design with a similar design; properties are characterized by gable roofs, red and grey brickwork and dark wooden projecting windows.
- 1.3 To the rear (north-west) of the site is Osborne Road, to the south is Drayton Way and to the north-east is Craig Avenue. These are residential areas.
- 1.4 The site has few constraints; it is not listed, in a conservation area, flood zone or air quality management area.
- 1.5 The application is presented to the Planning Applications Committee due to being a major development. A member site visit was carried out on 26th January 2023.



Site Location Plan (showing the former building)



Image of the former block (Google Street View, 2019)



The site today, photograph taken January 2023

2. PROPOSAL

- 2.1 Planning permission is sought for the re-instatement and improvement of a 4-storey building (3 storey with roof accommodation) with the same dwelling mix as what was lost as a result of the fire (24 x studio/1 bed units, including 4 duplex flats). The rebuilding of the block will be funded by the insurance provider, whose funding will cease in December 2023. All flats are privately owned and are required to be rebuilt in a similar fashion by the insurance provider. Given some of the flats were rented accommodation, it is not clear if all the previous occupiers would return (as they

may have found other, permanent accommodation), but all leaseholders would remain the same.

- 2.2 The new building would measure a maximum height of 12.6m, maximum width of 38m, maximum depth of 16.5m which. This represents an increase in depth of 3.2m and width of 3m when compared to the block that was destroyed. The overall height of the building would be 1m lower than the building that was destroyed. The reason for the overall increase in scale of the block is to ensure that the floor area of the new dwellings can meet the Nationally Prescribed Space Standards. The flats that were lost did not meet these standards.
- 2.3 Parking provision is proposed to remain as per the previous arrangement. 6 parking spaces are proposed to be re-provided in the existing car park. Again, the level of parking is to remain the same due to constraints in the insurance provision and clauses dictated in the leases attached to the former (and proposed) flats, which will remain. The remainder of parking spaces in the car park belong to other leaseholders/ residents of the remainder of Rowe Court, but which are currently enclosed within the hoarding for safety reasons and have been since the fire.
- 2.4 The original set of plans showed all flats to be provided with a balcony, with balconies positioned on the front and rear elevations of the building. These plans are referred to as 'option 1'. However, following Officer concern that rear balconies would result in overlooking of the rear amenity spaces of some properties on Osbourne Road and privacy concerns for residents here, a revised set of plans were provided. These show the building without rear balconies and the plans are referred to as 'option 2'. Officers are recommending 'option 2' plans to be approved due to the concerns as outlined above which will be discussed later in the report.
- 2.5 As well as balconies, communal amenity space with landscaping is also proposed at the rear of the site, in the same location as previously, albeit smaller in size due to the increase in the size of the building.
- 2.6 Documents/ Information submitted:

'Option 1' drawings (proposing front and rear balconies):

0792-WPA-0102 Rev P1a - Site Plan Proposed
0792-WPA-0110 Rev P1a - Ground Floor Plan Proposed

Received 16th February 2023

0792-WPA-0101 Rev P1 - Block Plan Proposed
0792-WPA-0111 Rec P1 - First Floor Plan Proposed
0792-WPA-0112 Rev P1 - Second Floor Plan Proposed
0792-WPA-0113 Rev P1 - Third Floor Plan Proposed
0792-WPA-0114 Rev P1 - Roof Plan Proposed
0792-WPA-0200 Rev P1 - Elevations - Sheet 01 Proposed

0792-WPA-0201 Rev P1 - Elevations - Sheet 02 Proposed
0792-WPA-0300 Rev P1 - Sections Proposed

Received 7th February 2023

'Option 2' drawings (proposing front balconies only):

0792-WPA-0102 Rev P2a - Site Plan Proposed
0792-WPA-0110 Rev P2a - Ground Floor Plan Proposed

Received 16th February 2023

0792-WPA-0101 Rev P2 - Block Plan Proposed
0792-WPA-0111 Rev P2 - First Floor Plan Proposed
0792-WPA-0112 Rev P2 - Second Floor Plan Proposed
0792-WPA-0113 Rev P2 - Third Floor Plan Proposed
0792-WPA-0114 Rev P2 - Roof Plan Proposed
0792-WPA-0200 Rev P2 - Elevations - Sheet 01 Proposed
0792-WPA-0201 Rev P2 - Elevations - Sheet 02 Proposed
0792-WPA-0300 Rev P2 - Sections Proposed

Received 7th February 2023

Other information/ plans submitted:

Management and Maintenance Plan for Sustainable Urban Drainage Systems (SuDS) -
ref. 5245_MOM_ROW)RPT_MMplan
Drainage strategy and SuDS assessment for the management of surface water runoff
and foul water discharge - Ref. 5245_MOM_ROW)RPT_BGDstrategy

Received 14th February 2023

0792-WPA-0000 Rev P1 - Location Plan Existing
0792-WPA-0001 Rev P1 - Block Plan Existing
0792-WPA-002 Rev P1 - Site Plan Existing
0792-WPA-0020 Rev P1 - Elevations - Sheet 01 Existing
0792-WPA-0021 Rev P1 - Elevations - Sheet 02 Existing
0792-WPA-0030 Rev P1 - Sections Existing

Received 7th February 2023

Ecological Enhancement Notes Reference EEN-RG-AESG-TN-01

Received 7th February 2023

Supporting Letter prepared by DaviesMurch

Received 23rd November 2022

Application Form

CIL Form

Phase I Geo-Environmental Site Assessment - ref. P1048-01/R1/V1 dated August 2022

Phase 2 Contaminated Land and Geotechnical Report - ref. P1048-02/R2/RV1

Energy Strategy - ref. P2431-ENE-01 Rev P1

Daylight & Sunlight Review prepared by eb7

Arboricultural Impact Assessment

Tree Constraints Plan

Tree Protection Plan

BS5837:2012 Tree Survey and Arboricultural Impact Assessment - ref.
GHA/DS/122160:22

Design and Access Statement Rev P0

Verification of Insurance dated 31st October 2022

Received 14th November 2022

3. PLANNING HISTORY

- 3.1 No formal planning applications at 63-86 Rowe Court, however the following applications relate to the wider Rowe Court estate:

880354 - Residential Development of 126 dwellings and associated vehicular access
- Application Permitted

4. CONSULTATIONS

- 4.1 Internal Consultees

Transport - No objection subject to conditions

Ecology - No objection subject to conditions

Natural Environment - No objection subject to conditions

Environmental Protection - No objection subject to conditions

Waste Operations - No objection

Accessibility Officer - No objection

Housing - No comments received

Sustainability - No comments received

Building Control - Design appears compliant. A suitable fire strategy needs to be submitted at Building Regulations approval stage

Lead Local Flood Authority (LLFA) - No objection subject to condition

4.2 External Consultation

Berkshire Fire and Rescue Service -

“At this stage there is no duty placed upon the Fire Authority under the aforementioned legislation to make any comment relative to the application. However, the applications plans have been briefly examined and the applicant should be reminded that access for fire-fighting, particularly vehicular access, must comply with B5 of the Building Regulations guidance.

Any structural fire precautions and all means of escape provision will have to satisfy Building Regulation requirement. These matters are administered by the local authority Building Control or approved inspectors, who are required to consult with this fire authority.

Please be advised that any comments made by the Fire Authority in this letter must not be taken as formal approval that your plan/s conform to current Guides or Codes of Practice for means of escape in case of fire.”

Reading's Economic and Destination Agency (REDA) - An Employment, Skills & Training plan can be secured via condition

Thames Valley Police Crime Prevention Design Advisor (CPDA) - Objection, amendments suggested to placement of garages and cycle store, installing boundary treatment, and ensuring entrance is secure and lockable

Officer note: Amended plans were received addressing most of these points

Thames Water - No comments received

Scottish and Southern Electric (SSE) - No comments received

Southern Gas - No comments received

4.3 The following addresses were formally notified of the application in writing on 25th November 2022:

1-62 Rowe Court (all numbers)

87 - 126 Rowe Court (all numbers)

1-11 Osbourne Road (all numbers)

49-63 Craig Avenue (odd numbers)

26-46 Drayton Road (even numbers)

4.4 In addition, 5 site notices were displayed on 25th November 2022 for the requisite period of 21 days.

4.5 6 objections were received relating to the following matters:

- Concerns over overlooking into gardens and rear windows of properties in Osbourne Road from the balconies and rear dormers. This contradicts planning advice where Osbourne Road residents could not have a development that overlooked the former building
- Concerns over loss of light to properties in Osbourne Road
- Concern over loss of view from Osborne Road
- No boundary treatment to obscure views to Osbourne Road
- Balconies would change the aesthetics of the road
- The building would not be located a 20m back-to-back distance with 87 Rowe Court, as per policy CC8
- Do not want the refuse door facing neighbouring properties as it may have adverse impacts in terms of smell/ noise and poor view
- Concern that food waste bins could attract rodents
- Will bin store come further out than the current kerbed edge which could impact ease of using 4 parking spaces in front of 87 Rowe Court
- Concern over the placement of the bike store as this has attracted undesirable behaviour in the past
- Design and materiality is not in keeping with current properties
- What measures will be in place to ensure hours of construction are abided by? Many residents work at home and would be disrupted by construction
- The Daylight/ sunlight report provided does not refer to 87 Rowe Court
- Tree protection fencing is proposed outside of the application site. This covers parking spaces belonging to properties that were not destroyed by the fire

- Application boundary is misleading as it only covers the building itself, not all the land that has been fenced off since the fire
- No indication is given regarding the re-instatement of a street light which is an ongoing safety issue
- There has been no consultation with the Rowe Court Management (Reading) Limited - a number of the proposals will impact the management requirement costs for the whole road
- Two owners of the former flats have not been consulted
- Inaccuracies on the block plan regarding numbering of neighbouring properties and an incorrect date being put on the submitted CIL form
- Consultation period is inadequate given the volume of documents submitted
- Questioned who would want to live in the flats again and is it normal for these to be rebuilt. Consider the site would be better as a memorial garden or similar
- Would be good to use the space for parking, communal space for residents or a memorial rather than flats
- Lack of emergency exits
- Rowe Court as a whole needs tighter control on parking
- Increased traffic will affect the busy roads and infrastructure in the area
- Have not been notified of the committee meeting or been given details of how to speak at the committee

Officer comment: These matters will be discussed under the relevant sections of the report. If they fall outside a general theme, they will be responded to in the 'other matters raised in representations' section of the report

5 letters of support were received for the following reasons:

- Want to get properties reinstated to move on with their lives
- Appreciate changes made to comply with regulations and support changes to window positioning on the top floor
- This is a good way forwards after the tragic events

Officer comment: These are noted

2 Observations were received relating to the following matters:

- Concern over what parking is allocated and to who
- No electric vehicle charging points or road markings

Officer comment: These will be discussed in the transport section of the report

- Questioning what the windows on south elevation are as these are not shown as windows on the floor plans

Officer comment: These are 'tax windows' and are for decorative purposes only

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 (2021)

5.4 Reading Borough Local Plan (2019)

CC1: Presumption in Favour of Sustainable Development

CC2: Sustainable Design and Construction

CC3: Adaption to Climate Change

CC5: Waste Minimisation and Storage

CC6: Accessibility and the Intensity of Development

CC7: Design and the Public Realm

CC8: Safeguarding Amenity

CC9: Securing Infrastructure

EN12: Biodiversity and the Green Network

EN14: Trees, Hedges and Woodland

EN16: Pollution and Water Resources

EN18: Flooding and Drainage

H1: Provision of Housing

H2: Density and Mix

H3: Affordable Housing

H5: Standards for New Housing

H10: Private and Communal Outdoor Space

TR1: Achieving the Transport Strategy

TR3: Access, Traffic and Highway-Related Matters

TR5: Car and Cycle Parking and Electric Vehicle Charging

Supplementary Planning Guidance/Documents

- Revised Parking Standards and Design (2011)
- Revised Sustainable Design and Construction (2019)
- Planning Obligations Under S106, April (2015)
- Affordable Housing Supplementary Planning Document (2021)
- Employment, Skills and Training (2013)
- Reading Tree Strategy (2021)
- DCLG Technical housing standards - nationally described space standards (2015)
- National Design Guide: Planning practice for beautiful, enduring and successful places (2019)

6. APPRAISAL

6.1 The main issues for consideration are:

- Principle of Development
- Dwelling Mix and Density
- Design and impact on the character of the area
- Impact on Existing and Future occupiers
- Amenity Space
- Transport Matters
- The Natural Environment
- Sustainability
- Sustainable Urban Drainage Systems
- Affordable Housing
- Other Matters:
 - *Fire Safety*
 - *Employment, Skills & Training*
 - *CIL*

a) Principle of Development

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”.

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.

6.4 The site was previously in use residential purposes and is empty as a result of demolition that has happened on site to date to date.

6.5 It is not considered that the residential use has been abandoned in planning terms, despite being demolished to slab level. The leading case on the issue of abandonment is *Hughes v Secretary of State for the Environment, Transport and the Regions* [2000] 1 PLR 76. In order to establish whether a residential use had been abandoned four criteria were relevant:

- a. The physical condition of the building*
- b. The length of time for which the building had not been used for residential purposes*
- c. Whether it had been used for any other purposes; and*
- d. The owner's intentions*

6.6 In this case the building is in no proper physical condition at all (indeed there is no building), but the time since it was formerly used for residential purposes has not been extensive, there has been no intervening use of the site, and the intention of the owners (both freehold and leasehold) is to continue a residential use of the site. As such, the site has not abandoned its residential use in planning terms.

6.7 Therefore the site is an established brownfield site and this would see the replacing of properties recently lost with no gain in number. re-instatement of residential development on the land is accepted in principle. The removal of any remaining fire damaged structure is also accepted. However, the scheme is also required to be assessed in relation to other material considerations which are set out below.

b) **Dwelling Mix and Density**

6.9 Policy H2 states that: *On new developments for 10 or more dwellings outside the central area and defined district and local centres, planning decisions will ensure that over 50% of dwellings will be of 3 bedrooms or more, having regard to all other material considerations.*

6.10 Furthermore, policy H2 provides guidance on the number of dwellings per hectare. The site is an urban location which policy H2 stating that the indicative density ranges are 60-120 dwellings per hectare. This proposal would result in 333 dwellings per hectare. Whilst the density is high, in this unique situation there is justification for it. The proposed density is therefore considered acceptable.

6.11 The mix is proposed to be 24 studio/ 1 bed flats, as it was previously. It is noted that this does not comply with Policy H2 of the Reading Borough Local Plan as no 2/3-bedroom family dwellings would be provided. However, the policy states that the target of 50% 3-bedroom accommodation units would be subject to having 'regard to *all material considerations*'. The Local Planning Authority has obtained legal advice on the material planning considerations in this unique case, and these are required to form part of the planning balance to help assess if a shortfall in policy could be justified in this exceptional circumstance.

- 6.12 It is considered that the funding provided by the insurers to re-instate the building is a material consideration in this case. Whilst it would be desirable to achieve an improved dwelling mix, this would not be possible as the sole funding channel will only re-provide the block in a relatively like-for-like fashion, and so the mix cannot be altered.
- 6.13 In this highly exceptional circumstance, a degree of flexibility is warranted and is considered to outweigh shortcomings of the dwelling mix.

c) **Design and impact on the character of the area**

- 6.14 Policy CC7 (Design and the Public Realm) states: *“All development must be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located”*. It goes on to state that developments should *“Create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion”*.
- 6.15 Rowe Court comprises of three storey block and two storey dwellings. It has a high degree of uniformity in terms of the blocks’ materiality and overall style, scale and roof form. In terms of architectural style, the surrounding buildings have tiling wrapping onto façade, projecting bay windows with dark timber cladding, terracotta brick with grey blue brick banding, with some mock Tudor detailing.



Example of building in Rowe Court

- 6.16 The proposed block will comprise of three storeys with accommodation in the roof space (owing to the duplex flats). As such, when viewed from the front and rear elevations, it has a likeness to a four-storey building. However, the overall height of the building would be reduced by ~1m compared to the building that was destroyed. In terms of depth and width, the building will increase by 3m and 3.2m respectively. However, it is still considered that the development would sit comfortably within the plot and its scale in relation to the wider estate is also acceptable.

6.17 The proposed block will take architectural cues from the wider estate. Namely:

- Dark window frames and balustrades - balconies aiming to give the impression of a form of 'bay window'
- Two tone brickwork (terracotta and grey brick)
- Terracotta tiles
- Projecting entrance bay
- Wrapping decorative tiling at high level



Proposed materials/ features to integrate with the remainder of Rowe Court

6.18 These features/ materials are considered positive and will help the development to integrate with the wider estate, albeit in a contemporary form.

6.19 In terms of roof form, Rowe Court comprises of blocks and dwellings with gable roofs. Whilst the new block has a roof design featuring dormer windows, it will have a gable end when viewed from the side elevations.

6.20 A noticeable distinction between the building proposed, and that which was lost, are the presence of projecting balconies. There was concern raised in neighbouring objections that this would not integrate with the remainder of Rowe Court. Officers acknowledged that balconies are not found elsewhere on the road. Their presence on the front elevation will be a new feature of the street scene. However, given the block's position at the end of the estate, meaning its visibility is more limited unless travelling up the road, and combined with the positive elements of the design

as mentioned above, it is not considered that the balconies would result in harm to the appearance and character of the street.

- 6.21 During the course of the application, the Thames Valley Police Crime Prevention Design Advisor raised design concerns over the location of the proposed garages and cycle storage and wanted to ensure that suitable secure lobby is provided.
- 6.22 The location of the proposed garages attached to the southern elevation of the building meant that direct sight lines were not present and it created a convenient recess for those intent on crime and anti-social behaviour to congregate behind, undetected. Furthermore, the cycle store was located to the rear of the site where there was not considered to be a good level of surveillance. As a result of these comments, the two garages have been relocated to the northern elevation, behind the bin store, along with the cycle store behind that. As a result, the opportunities for those intent on crime to discretely congregate on site has been minimised. The bin store, garages and cycle store will benefit from natural surveillance from 87-89 Rowe Court.
- 6.23 The agent has confirmed that a secure lobby with a phone entry system will be provided. A security strategy will also be secured via condition to ensure that the development is designed to minimise crime and disturbance for future occupiers and neighbouring residents.
- 6.24 As such, the proposal is considered acceptable in relation to Policy CC7 of the Reading Borough Local Plan (2019).

d) Impact on Existing and Future Occupiers

- 6.25 Policy CC8 (Safeguarding Amenity) is concerned with preventing significant detrimental impact to the living environment of existing or new residential properties, including in terms of privacy and overlooking, loss of daylight and visual dominance, amongst other impacts.

Existing Occupiers

- 6.26 The application site is surrounded by residential properties. To the rear (north-west) of the site is Osborne Road, to the south is Drayton Way and to the north-east is Craig Avenue. These are residential areas. As such, the impact on neighbouring properties on all the above need to be considered.

Remaining properties on Rowe Court

- 6.27 The building would be 22m away from 57-62 Rowe Court which respects the separation distances set out under policy CC8 and is reflective of the previous arrangement.

- 6.28 There would be a 14.8m distance between the closest part of the building (the single storey bin store) and 87-89 Rowe Court. The building, excluding the bin store, will not directly face onto these properties. It is acknowledged that the submitted light assessment appeared to not make reference to neighbouring property 87 Rowe Court, which was raised in neighbour objections. However, Officers consider that due to the layout and separation distances, that properties on Rowe Court would not experience substantial harm in terms of loss of light, overbearing or loss of privacy.
- 6.29 Concern was raised over the placement of the bin store, and that the doors to the store would open in the direction of 87-89 Rowe Court resulting in adverse noise and odour pollution. However, due to the adequate separation distance, it is not considered that any noise or odour from the bin store would be a reason to resist the proposal.

Drayton Way

- 6.30 The proposed building's side would located approximately 32m away from the rear elevations of properties on Drayton Way. This is comparable to the previous situation and is considered a substantial separation distance.

Craig Avenue

- 6.31 The proposed building's side elevation would be 23.6m away from the rear elevation of properties on Craig Avenue which is considered a suitable distance for the development not to result in overbearing impacts or loss of light. Furthermore, no side windows are proposed on the building to look towards Craig Avenue, so there are no concerns in terms of overlooking or loss of privacy.
- 6.32 A condition will be applied restricting the hours of construction to standard hours in the interests of protecting neighbouring residents from disturbance during construction.

Osbourne Road

- 6.33 A number of objections have been received from occupiers of Osbourne Road, concerned that the development would reduce access to natural light and privacy to rear windows and gardens. The proposed building would be located 24.5m away from the rear of properties at Osbourne Road. As such, the development would comply with the 20m back-to-back distance as outlined in Policy CC8 and therefore would not be considered to result in a substantial loss of light, overbearing impacts or loss of privacy to rear windows. Concern was raised from neighbours over the impact on views from their rear windows, however views are not a material planning consideration.
- 6.34 However, Officers do share concern with neighbours regarding the proposed introduction of rear balconies, as shown on 'option 1' drawings, to serve the rear flats and the potential loss of privacy to the rear amenity spaces of 1, 3 and 5

Osbourne Road in particular. The rear elevation of the new building would be located 8.5m from the boundary with properties on Osbourne Road. This is a closer relationship than previously existed.

- 6.35 Whilst private balconies provide valuable amenity space, balconies were not found on the former building, and therefore this is a new overlooking relationship that would be established. It is considered that the rear balconies at first and second floor level would result in direct and uninterrupted views into these neighbouring gardens when the balconies are in use, contrary to policy CC8.
- 6.36 As such, 'option 2' drawings, which see only balconies to serve the front flats proposed is recommended for approval by Officers as the omission of rear balconies would retain privacy for the occupiers of Osbourne Road in line with Policy CC8. However, both sets of plans/options have been put forward for member consideration following the member site visit where the levels of amenity space for future residents was discussed. Amenity space for residents will also be discussed later in the report.

Future Occupiers

- 6.37 As mentioned in paragraph 2.2, the proposal would see dwellings meeting the Nationally Prescribed Space standards which they did not previously. This is considered a particular improvement to the scheme in terms of quality of future accommodation within the Borough. All dwellings would have windows in habitable rooms with acceptable levels of light and outlook.
- 6.38 In line with Policy H5, the building will meet M4(3) of Building Regulations in that 5% of the dwellings will be wheelchair user friendly. This is achieved through the incorporation of a lift so all floors can be accessed. A condition will be attached ensuring that the lift is maintained in perpetuity. The RBC Accessibility Officer also raised no objection and noted that as the dwellings will be larger in size than those previously will also be positive for wheelchair users.
- 6.39 As such, the proposal is considered acceptable in terms of Policies H1, H5 of the Reading Borough Local Plan (2019) in these respects.

e) Amenity Space

- 6.40 Policy H10 states: *"Dwellings will be provided with functional private or communal open space, including green space wherever possible, that allows for suitable sitting-out areas, children's play areas, home food production, green waste composting, refuse storage, general outdoor storage and drying space"*. The policy goes on to state that generally 1-2 bedroom flats outside central Reading should have 25 sqm of private or communal amenity space.

Communal amenity space

- 6.41 The re-instated block would be provided with 218 sqm of communal amenity space. This equates to 7sqm per dwelling. It is noted that this is a reduction from 16 sqm per dwelling owing to the increase in scale of the building. The amenity space is not able to be enclosed by boundary treatment because a legal right of way exists for leaseholders of the wider estate. Nevertheless, as the amenity space will be at the rear this will allow the space to retain some privacy and is comparable to the former situation, which also did not have boundary treatment surrounding the amenity space for the same reason.
- 6.42 The proposed communal amenity space is currently not level, raising up towards the boundary with dwellings on Osbourne Road. Officers had discussions with the agent to see if there would be scope to flatten this space to improve its 'useability' for future residents. Officers were advised that this would not be possible due to planting and tree root zones. The reducing or re-grading the topography would necessitate the removal of the remaining trees and hedgerow planting because it would not be possible to retain the root zones at their current level. Furthermore, there is a relatively significant difference in levels between the site and the neighbouring properties at Osbourne Road, with the sloping topography retaining the higher ground of Osbourne Road. If this 'bank' were removed, a retaining wall would be necessary along the length of the boundary.





Photos showing the rear, communal amenity space

- 6.43 Given the constraints of the site and the previous level of amenity space, the amount and condition of communal amenity space in its current form is accepted. The communal space, albeit not level, will provide sufficient room for basic functions such as clothes drying. Furthermore, some future residents will also have access to private balconies which is an improvement on the previous situation.
- 6.44 As such, the level of communal amenity space presented in ‘option 2’ is deemed acceptable in light of the context of the scheme, and front balconies are considered a positive addition in terms of amenity. A condition will be attached ensuring the communal amenity space remains for the benefit of all residents at all times. The proposal is therefore deemed acceptable in relation to Policy H10 of the Reading Borough Local Plan (2019).

f) Transport Matters

- 6.45 The Council has produced a Parking Standards and Design Supplementary Planning Document (SPD), which includes different standards in four different zones according to the accessibility of those zones. The site is located in Zone 3, Secondary Core Area, of the Revised Parking Standards and Design SPD.
- 6.46 It would appear that the parking being provided is reflective of the existing provision. Given that the same number and tenure of units is proposed, and that the majority of spaces are demised to specific leasehold unit, it is considered that the parking demand will be unaltered. A condition will be applied to ensure vehicle spaces are retained, as per the submitted plans.

- 6.47 It is noted that some spaces have been relocated to facilitate the new site plan including repositioning of leasehold garages. The dimensions of the proposed garages do not comply with current standards and are not always used for parking especially if they are below standard dimensions. However, given that the garages are a replacement facility, the Transport department do not object on this basis
- 6.48 As per Policy TR5, within communal car parks for residential or non-residential developments of at least 10 spaces, 10% of spaces should provide an active charging point. However, as part of this proposal, only 6 spaces are being re-provisioned in an existing car park (as illustrated within the red line area). As such, it is considered acceptable that the development does not meet the threshold for electric vehicle charging infrastructure as specified in policy TR5.
- 6.49 Refuse storage provision has been designed following correspondence with Reading's Waste department. The bin store enclosure is located a short distance from the main entrance adjacent to the car park entrance. The existing turning head will be used by refuse collection vehicles to enable on-street serving to occur.
- 6.50 Cycle storage is provided in accordance with the Council's current standards which states 0.5 storage spaces/unit. The development provides a lockable, secure communal cycle store for 12 cycles and these are in the form of two tier stands. A condition will be applied ensuring the cycle parking provision is implemented and maintained.
- 6.51 A condition will also be applied to ensure a Construction Method Statement (CMS) is submitted and approved before any works commence on-site. As well as demonstrating a commitment to ensuring the number of HGV movements are managed and controlled, the CMS must demonstrate that appropriate measures will be implemented to ensure the safety of pedestrians and cyclists around the construction site.
- 6.52 As such, the proposal is deemed acceptable from a Highways perspective in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan (2019) subject to conditions.

g) The Natural Environment

i) *Trees*

- 6.53 Policy EN14 (Trees, Hedges and Woodland) states that: *"New development shall make provision for tree retention and planting within the application site, particularly on the street frontage, or off-site in appropriate situations, to improve the level of tree coverage within the Borough, to maintain and enhance the character and appearance of the area in which a site is located, to provide for biodiversity and to contribute to measures to reduce carbon and adapt to climate change. Measures must be in place to ensure that these trees are adequately maintained."*

- 6.54 One Field Maple tree must be removed to enable development. This tree has a poor form due to heavy and unbalanced pruning following damage incurred during the fire and its removal is agreeable (subject to replacement planting). Tree protection measures are shown on 4 trees that are outside of the red line boundary but are within the applicant's ownership (blue line boundary). As this land is owned by the applicant, it is considered reasonable that this tree protection could still be secured. Concern from neighbours was raised over tree protection being placed on parking spaces not associated to the new dwellings under this application. However, tree protection measures need to remain in place whilst construction is ongoing, and then will be removed.
- 6.55 An Arboricultural Method Statement has been provided with the general principles for tree removal and protection being agreed. However, a number of slight amendments to this document are necessary to provide points of clarification; a new version will be secured via condition.
- 6.56 In terms of landscaping, three field maple trees are provided in the rear amenity space. Full details of these trees will be secured via condition. In addition, further details on the proposed biodiverse green roof and the line of planters/ hedge vegetation for ground floor units 1, 2, 7 and 8 will also be secured via condition.
- 6.57 Subject to conditions to secure details of the proposed landscaping which has been indicatively shown on the site plans, along with an updated arboricultural method statement, the proposal is accepted in relation to Policy EN14 of the Reading Borough Local Plan (2019).

ii) Ecology/Biodiversity

- 6.58 Policy EN12 states that *"On all sites, development should not result in a net loss of biodiversity and geodiversity, and should provide a net gain for biodiversity wherever possible"*
- 6.59 The Council's Ecologist has confirmed that the proposals are very unlikely to affect any priority habitats, protected species, or designated wildlife sites given the condition of the site.
- 6.60 The submission indicates biodiversity enhancements in principle, namely the inclusion of bee bricks, a hedgehog highway and an insect hotel, along with a green roof. Whilst bird boxes are also shown, these are to be attached to trees rather than being integral. In addition, there are not any integral bat boxes shown, bats of which are a protected species.
- 6.61 Therefore it is clear there is a willingness by the applicant to provide biodiversity enhancements, along with opportunities on site, but further details on this and will be required by condition/
- 6.62 The proposal is therefore considered acceptable in relation to Policy EN12 of the Reading Borough Local Plan (2019) subject to condition.

h) **Sustainability**

- 6.63 Policy CC2 states: *Proposals for new development, including the construction of new buildings and the redevelopment and refurbishment of existing building stock, will be acceptable where the design of buildings and site layouts use energy, water, minerals, materials and other natural resources appropriately, efficiently and with care and take account of the effects of climate change*
- 6.64 Policy CC3 states: *All developments will demonstrate how they have been designed to incorporate measures to adapt to climate change*
- 6.65 Policy CC4 states: *Any development of more than 20 dwellings and/ or non-residential development of over 1,000 sq m shall consider the inclusion of decentralised energy provision, within the site, unless it can be demonstrated that the scheme is not suitable, feasible or viable for this form of energy provision*
- 6.66 Policy H5 states: *All new build housing will be built to the higher water efficiency standard under Regulation 36(3) of the Building Regulations 79 and All major new-build residential development should be designed to achieve zero carbon homes*
- 6.67 Decentralised energy provision is provided in that all dwellings will be provided with an air source heat pump (ASHP). These are to be located at level 3 of the building. It is noted in the Sustainable Design and Construction SPD that Ground Source Heat Pumps (GSHP) should be explored and are favoured over ASHPs in the first instance. However, in this case, the applicant has advised that the building will be on light foundations so considers drilling deep bore holes unjustifiable. Similarly, installing shallow coils over a large surface area would require large sections of the retained existing car park to be excavated which would then have to be made good with new paving and tarmac, and would disrupt the property of other leaseholders of the wider estate. Finally, GSHP's would require a larger communal plant room with hot water storage tanks, for which there is no space for at ground level given the fixed brief to re-provide dwellings.
- 6.68 With the above in mind, and the proposed provision of ASHPs and other sustainability enhancements such as the biodiverse green roof, the sustainability measures as outlined are deemed acceptable.
- 6.69 In terms of water efficiency, it is confirmed that the scheme is being designed according to the higher water efficiency standard of *Regulation 36(3) of the Building Regulations*. This will be achieved through the specification of water efficient appliances, taps and flow rate control devices where required.
- 6.70 The Council's Sustainable Design and Construction SPD states in paragraph 3.11 that "in achieving Zero Carbon Homes for major residential developments, the preference is that new build residential of ten or more dwellings will achieve a true carbon neutral development on-site. If this is not achievable, it must achieve 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.”

- 6.71 Although it is unfortunate that the development cannot achieve zero carbon, the submitted sustainability statement demonstrates that the development achieves a 63% improvement. As per the SPD, the remaining 37% would ordinarily be offset by a financial contribution, which the application projected this to equate to £11,792. However, given the circumstances surrounding the application, and the insurer only providing the cost of the re-instatement of the building, Officers accept that this financial contribution is not able to be provided.
- 6.72 In light of this, and the sustainability measures which are proposed, which are an improvement on the building that was lost, the proposal is considered, on balance, be acceptable in relation to policies CC2, CC3, CC4 and H5 of the Reading Borough Local Plan (2019).

i) Sustainable Drainage Systems

- 6.73 Policy EN18 requires all major developments to incorporate ‘Sustainable Urban Drainage Systems’ (SUDS) with runoff rates aiming to reflect greenfield conditions and, in any case, must be no greater than the existing conditions of the site. The applicant has submitted a Surface Water Drainage Strategy which demonstrates that it attenuates surface water on the roof of the building and discharges it at a lower rate than existing. An appropriate maintenance plan has also been submitted. On that basis, the proposal is considered acceptable in relation to policy EN18 of the Local Plan (2019) subject to a condition that the drainage strategy is implemented and maintained as specified.

j) Affordable Housing

- 6.74 Policy H3 requires that ‘...on sites of 20 or more dwellings, 30% of the total dwellings will be in the form of affordable housing’
- 6.75 As the proposal is for the reprovion of private dwellings that have been destroyed, with these being bound by and with existing leases and insurance funding, no on-site affordable housing is proposed. This is accepted in this particular instance.

k) Other Matters

Fire Safety

- 6.76 A fire statement is only formally required to be submitted as part of a planning application that involves a building of over 18 metres (or 7 stories) tall containing more than one dwelling. Given the proposed building does not meet this criteria a fire statement has not been submitted as part of the application.

6.77 However, given the circumstances surrounding this application, the agent has provided the following key principles to inform a full detailed fire strategy to be developed:

- Emergency lighting to complying with BS 5266-1
- Smoke detector to comply with BS 5839
- All stair core doors to be fitted with Fire door keep shut Signage and Fire door keep locked to stores, plant rooms and service risers
- Appropriate compartmentation to be installed throughout
- Additional windows at the top floors have been noted as a positive given these were not found on the previous building

6.78 Within a neighbouring comment, there was concern that the building will only have one entrance/ exit. However, there is no requirement under this application to insist on additional entrances/ exits. Building Control Officers have also advised that having one entrance/ exit is also accepted and does not prevent a development from complying with building regulations in respect of fire safety so long as an acceptable fire strategy is submitted. This will be provided at the Building Regulations stage, following the granting of any planning permission.

6.79 Officers trust that the proposals will be carefully reviewed by Building Control at the time of Building Regulations approval to ensure that the fire strategy measures in place on completion are suitable.

Employment, Skills and Training

6.80 In accordance with Policy CC9, and the details within the supporting Employment, Skills and Training SPD, an obligation would ordinarily be included in the S106 for the applicant to either develop an Employment Skills Plan for construction skills, in conjunction with Reading's Economic and Destination Agency (REDA), or provide a financial contribution.

6.81 However, given the scheme is bound by funding provided by the insurance policy, there is not sufficient funds to provide a financial contribution or a S106 agreement. As an alternative, it has been agreed that an Employment Skills Plan will be provided and this will be secured via a planning condition, which has been agreed by REDA.

CIL

6.82 The Community Infrastructure Levy (CIL) would apply at a rate of £167.06 per sqm. The contribution would equate to approximately £250,760, subject to review by the Infrastructure Monitoring Officer following the granting of any planning permission.

6.83 Other matters raised in representations

- Application boundary is misleading as it only covers the building itself, not all the land that has been fenced off since the fire

Officer comment: The application site is outlined in red. During the course of the application, the red line was amended to incorporate the proposed amenity space which was omitted in error. The application site does not concern the entire area that is currently fenced off from the public. Additional space around the former building is required to be closed off for safety reasons

- No indication is given regarding the re-instatement of a street light which is an ongoing safety issue

Reading Borough Council Highways team have advised that once the hoarding has been removed from site, the Council will be able to access and re-instate the street light

- There has been no consultation with the Rowe Court Management (Reading) Limited - a number of the proposals will impact the management requirement costs for the whole road

Officer comment: The LPA have consulted members of the public via site notice and letter. It would be the responsibility of the applicant to liaise with relevant management groups

- Two owners of the former flats have not been consulted

Officer comment: All owners of the flats were listed under Certificate B of the application form, advising they have all been served notice of the application

- Inaccuracies on the block plan regarding numbering of neighbouring properties and an incorrect date being put on the submitted CIL form

Officer comment: Amended plans were received correcting the numbering of neighbouring properties. Whilst there is an inaccuracy on the CIL form, this will be dealt with by the Infrastructure Monitoring Officer following the granting of any planning permission

- Consultation period is inadequate given the volume of documents submitted

Officer comment: Both neighbour letters and site notices displayed, provided for the statutory 21 days to comment. However, comments received up until the date of a decision are considered

- Questioned who would want to live in the flats again and is it normal for these to be rebuilt. Consider the site would be better as a memorial garden or similar

Officer comment: The LPA can only assess the proposal as submitted. As the land is in private ownership, the owners are within their rights to submit an application for the re-building of a residential block

- Would be good to use the space for parking, communal space for residents or a memorial rather than flats

Officer comment: Same as above

- Rowe Court as a whole needs tighter control on parking

Officer comment: The proposal is deemed acceptable from a transport perspective, as discussed earlier in the report. This concern is a wider issue which is beyond the scope of this application. The RBC Transport/ Highways team could be contracted to discuss concerns with general parking controls in Rowe Court

- Concern that food waste bins could attract rodents

Officer comment: The waste will be collected via Council collections and adequate waste provision is provided. These measures will hopefully decrease the likelihood of rodents, along with residents exercising proper waste management.

- Have not been notified of the committee meeting or been given details of how to speak at the committee

Officer comment: All individuals that made representations (and have provided a correspondence address) will be notified in writing of the intended committee date of an application and details of how to speak at the committee. Letters are sent in the week leading up to a committee when the application has been formally put on the agenda for that meeting. At the time of writing this report, and when this representation was received, letters had not yet been sent.

6.84 Equalities Impact

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics including age and disability. There is no indication or evidence (including from consultation on the application) that the protected groups 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. The new building provides for accessibility for those with some disabilities.

7. CONCLUSION

- 7.1 To summarise, the proposal is considered to have demonstrated acceptability in relation to a number of planning policies. Whilst there are shortfalls, this application is a re-instatement of a building that was destroyed in exceptional circumstances, and therefore is required to be assessed in that context. As such, Officers consider that flexibility and rationality is needed when assessing this sensitive application.
- 7.2 The proposal is therefore deemed acceptable subject to conditions. However, Officers would recommend the approval of 'option 2' drawings given privacy concerns posed to residents of Osbourne Road from rear facing balconies, as discussed in the report.

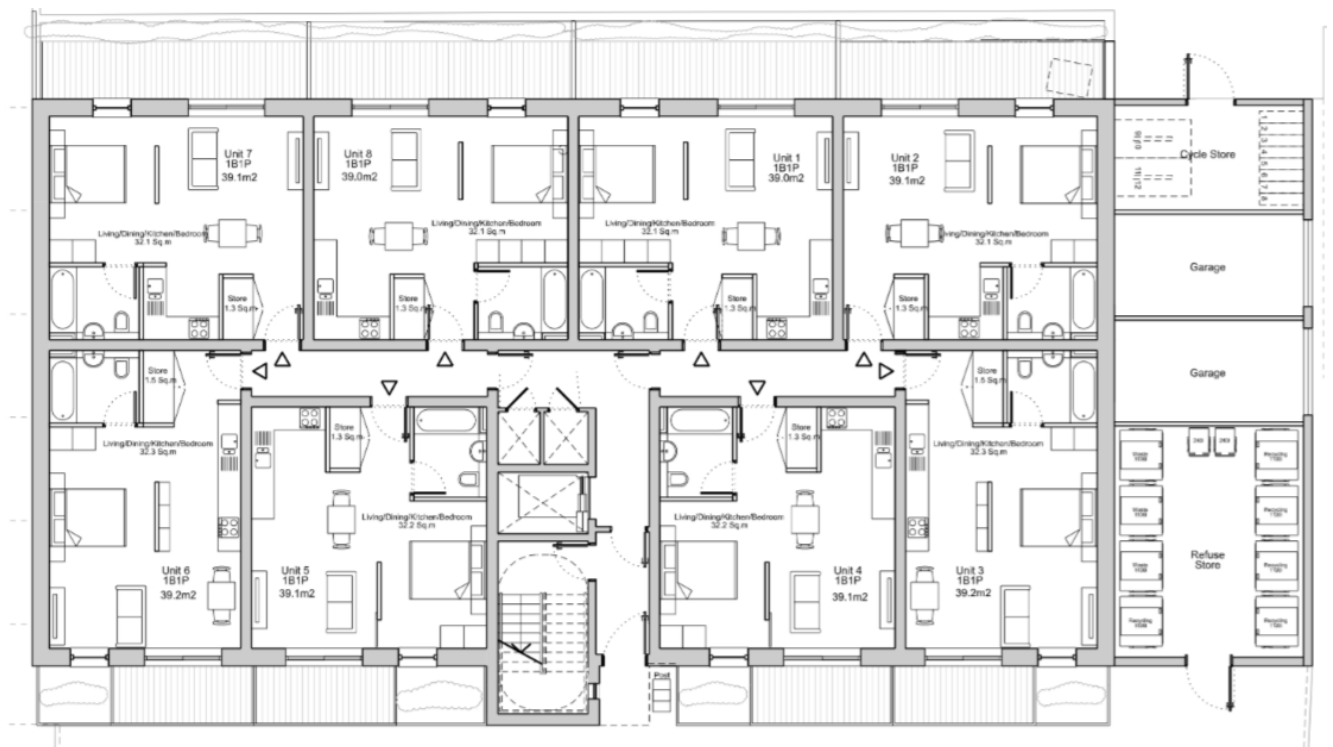
Case Officer: Connie Davis

'Option 1' drawings (with front and rear balconies)

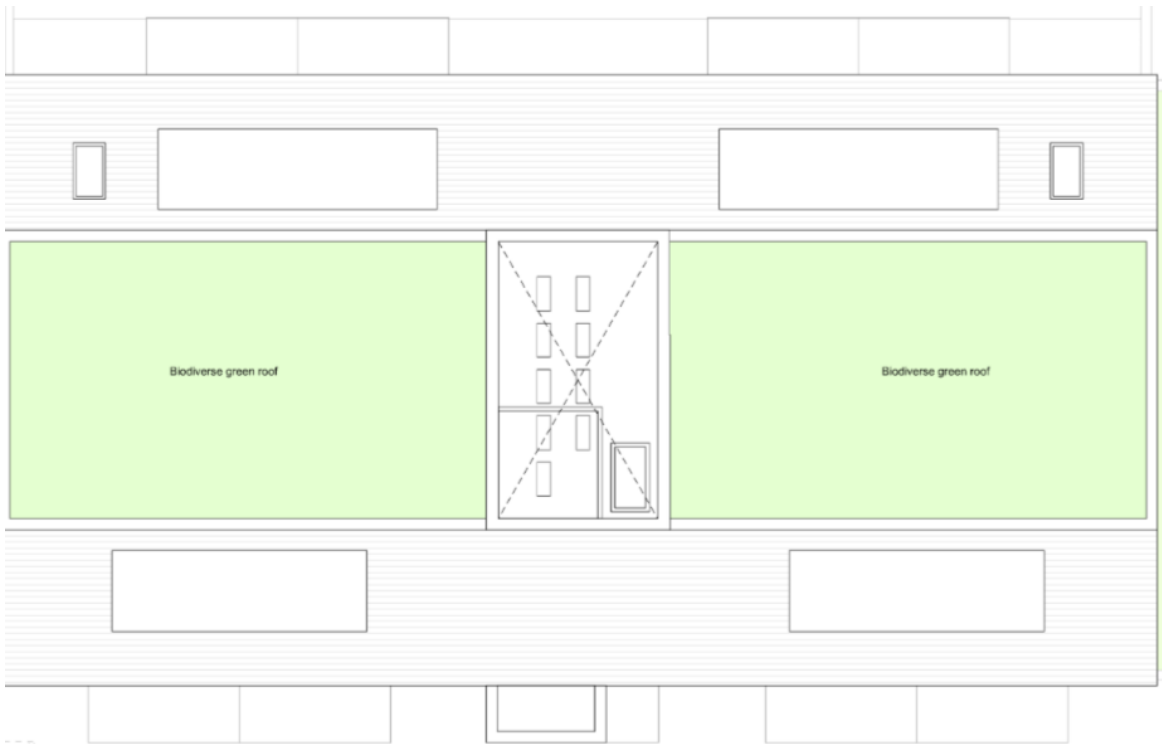
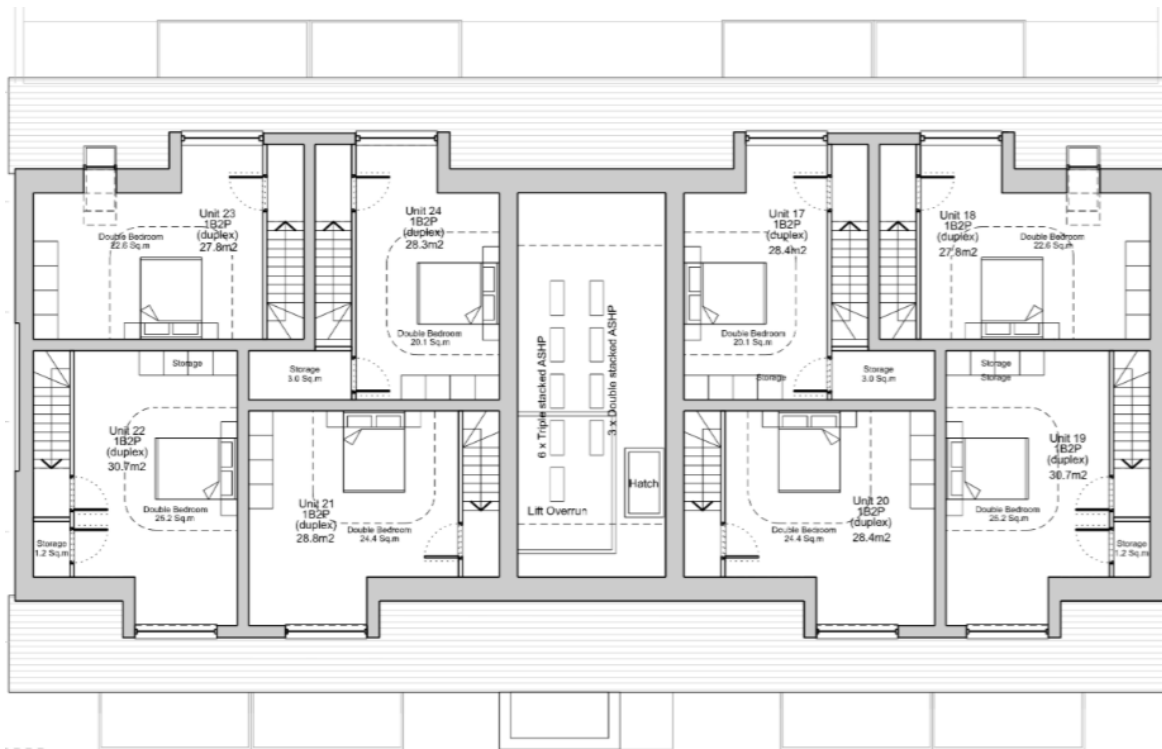




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