

**Ward:** Katesgrove

**Appeal No:** APP/ E0345/W/22/3313234

**Planning Ref:** 211614/FUL

**Site:** 9 Upper Crown Street, Reading, RG1 2SS

**Proposal:** Demolition of existing buildings and structures, associated reuse of frame with basement level used for car parking & servicing, erection of 3 no. residential blocks containing 46 no. dwellings above, associated parking (including replacement), access works and landscaping, relocation of substations & associated works to rear of Indigo apartments to facilitate pedestrian access.

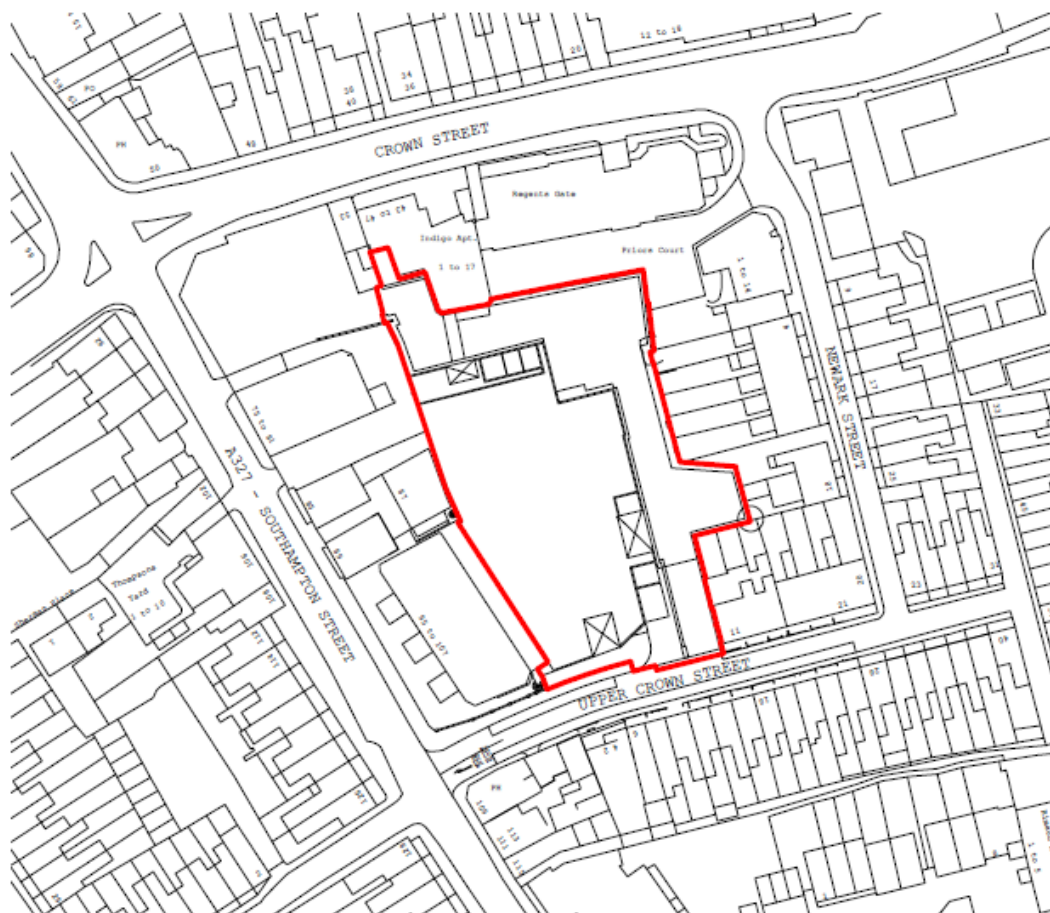
**Decision level:** Appeal    **Method:** Public Hearing on 28<sup>th</sup> March 2023

**Decision:** Appeal Dismissed

**Date Determined:** 27/04/2023    **Inspector:** Mr. M. Chalk BSc (Hons) MSc MRTPI

## BACKGROUND

The appeal site currently consists of a data storage facility with a roof deck car park above. The site is accessed from Upper Crown Street.



The application for the above proposals was refused under officers' delegated authority to refuse Major applications on 20<sup>th</sup> June 2022 for the following reasons:

1. *The development, as a result of the re-provision of significant number of on-site vehicle parking spaces unrelated to the proposed residential use, results in a significant proportion of the site being taken up by parking spaces and hardstanding. This, together with the scale and siting of proposed buildings 2 and 3, results in a development which appears cramped in terms of the proposed buildings within it but also in relation to existing buildings surrounding the site at no.s 75-81, 85, 87 and 89 Southampton Street. The extent of hardstanding and parking spaces proposed, together with the scale and cramped layout of buildings 2 and 3 results in provision of poor-quality areas of on-site landscaping and communal open space. The layout and scale of the proposed buildings is detrimental to the usability of these spaces and provision of suitable landscaping. The re-provision of the significant number of on-site vehicle parking spaces for off-site users unconnected to the development also fails to provide a safe environment for future occupiers of the development due to the level of pedestrian and vehicle movements that would occur within the development and its buildings that would be unrelated to the residential occupiers of the site. The proposals are considered to be an overdevelopment of the site and to fail to create a safe or high-quality residential layout contrary to Policies CC7, EN14, and H10 of the Reading Borough Local Plan 2019.*
2. *The siting and the layout of proposed buildings 2 and 3 would result in direct overlooking between facing habitable rooms windows to the two buildings creating a loss of privacy and overbearing form of development for future occupiers. The presence of balconies to the facing elevations exacerbates this unacceptable relationship and inadequate separation distance between the two buildings. The siting and scale of proposed building 2 would result in an overbearing form of development for future occupiers of the proposed terrace of four dwellings (building 1) to the site frontage on Upper Crown Street and would be detrimental to the usability of their private amenity spaces. The proposed development would fail to provide future occupiers with an acceptable standard of residential amenity or amenity spaces contrary to Policies CC8 and H10 of the Reading Borough Local Plan 2019.*
3. *The siting of proposed building 3 directly on the west boundary of the site together with its scale is considered to result in an overbearing visually dominant relationship with the adjacent buildings at 85, 87, 89 Southampton Street which are either in residential use or have been granted prior approval for conversion to residential use. The siting of large windows directly on the boundary, whilst indicated on the proposed plans to be obscurely glazed, would result in a perception of overlooking to occupiers of these neighbouring buildings. The proposed development would be harmful to the residential amenity of both existing and future occupiers of no.s 85, 87 and 89 Southampton Street contrary to Policy CC8 of the Reading Borough Local Plan 2019.*
4. *In the absence of a completed legal agreement to secure provision of a construction phase and end user phase employment skills and training plan or equivalent financial contribution, provision of a policy compliant level of on-site affordable housing and a carbon off-setting contribution, the proposals fails to adequately contribute to local*

*labour and training needs, the housing needs of the Reading Borough and to achieve zero carbon homes standards contrary to Policies CC9, H3 and H5 of the Reading Borough Local Plan 2019, the adopted Employment Skills and Training Supplementary Planning Document 2019, Affordable Housing Supplementary Planning Document 2021, Sustainable Design and Construction Supplementary Planning Document 2019 and Planning Obligations Under Section 106 Supplementary Planning Document 2015.*

## **SUMMARY OF DECISION**

The Inspector identified the following main issues:

- Whether the proposal would provide acceptable living conditions for future occupiers, with particular regard to outlook for occupiers of building 1 and the privacy and outlook of occupiers of buildings 2 and 3
- The effect on the character and appearance of the area; and
- The effect on the living conditions of neighbouring occupiers, with particular regard to the outlook from and privacy of nos. 85 and 87 Southampton Street

### **Future Occupier Living Conditions**

The Inspector found that the size and proximity of building 2 to the rear of the proposed terrace of houses would result in it being overbearing to the future occupiers of these houses. This was despite provision of a green wall, obscure glazed windows and the set in of the mansard roof on building 2. He found that it would be a dominant and oppressive presence that would compromise the outlook from the houses and the quality of the rear gardens to the extent that the living conditions of occupiers of the houses would be unacceptable.

The Inspector found that there would be no other harmful impacts on the future living conditions of occupants.

### **Character and Appearance**

The Inspector found that the proposal would not have any harmful impacts on the character and appearance of the area and would be of a high design quality that would meet the requirements of the Local Plan.

### **Neighbour Living Conditions**

The Inspector found that the proposal would not result in unacceptable harm to the living conditions of the occupiers of the existing buildings on Southampton Street.

### **Absence of a Legal Agreement**

A Unilateral Undertaking was agreed during the appeal process, and would have been implemented had the Inspector found the proposals acceptable.

### **Planning Balance**

The Inspector concluded that the benefits of the scheme including the provision of housing, affordable housing, constituted the redevelopment of brownfield land near to the town centre, would provide economic benefits, would be in keeping with the character and appearance of

the area, would improve the appearance of the appeal site and the inclusion of biodiversity and sustainability improvements would carry very substantial weight in favour of the proposal. However, he concluded that the harm arising from the proximity of building 2 to the terrace of houses would outweigh these benefits.

**HEAD OF PLANNING, TRANSPORT & PUBLIC PROTECTION SERVICES COMMENT**

The Inspector identified that the impact on the future living conditions of residents was so great that the significant benefits that the scheme would bring were outweighed. However, it is disappointing that the Inspector did not find further cause to resist the appeal. This means that the focus on the development important therefore to ensure that the quality of accommodation proposed in future schemes meets very high standards.

A new application has been submitted on the site with some amendments which seek to overcome the Inspector's concerns. At time of writing the application has not yet been validated.

**Case Officer: Tom Bradfield**