

UPDATE REPORT

BY THE EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 29th May 2019

ITEM NO.

Page:

Ward: Battle

App No.: 190522

Address: 39 Brunswick Hill

Proposal: Erection of new building containing 9 no. apartments with parking at rear following demolition of existing buildings

Applicant: Mr Eric Benjamin

Date received: 27 March (valid 27 March 2019)

8 week target decision date: 19 July 2019

RECOMMENDATION:

GRANT, as per main agenda report with two additional legal agreement obligations.

Recommendation (amended):

Delegate to Head of Planning, Development and Regulatory Services to (i) GRANT Full Planning Permission with appropriate conditions and informatives, subject to the satisfactory completion of a S106 legal agreement by 19th July 2019, or;
(ii) to REFUSE permission should the legal agreement not be completed by the 19th July 2019 (unless officers on behalf of the Head of Planning, Development and Regulatory Services agree to a later date for completion of the legal agreement).

The legal agreement to secure the following:

- **Provision of a deferred affordable housing contribution mechanism;**
- **Should the building subsequently be extended / altered (to create further units) or units subdivided then contributions to affordable housing would apply on a cumulative basis;**
- a Traffic Regulation Order (TRO) amount £5,000

1. Consultations

1.1 Additional consultation responses have been received from Reading Conservation Area Advisory Committee and Reading Civic Society. Their comments are enclosed below in full:

Reading Conservation Area Advisory Committee

“Reading Conservation Area Advisory Committee (CAAC) object to the current application to demolish 39 Brunswick Hill and build 9 flats on the site. We objected to application 171719 which was refused on appeal.

1. LOCAL LISTING

1.1 Although the building was refused local listing we urge that Reading Borough Council (RBC) reconsider this decision.

2. HERITAGE VALUE OF THE PROPERTY

2.1 We note that the planning inspector spoke strongly against the demolition of the 39 Brunswick Hill the decision letter on the appeal by the developer against RBC's refusal to grant application 171719. In para 6: *"In my view, its heritage interest has more than sufficient architectural significance to be a material consideration in determining the appeal. The Framework requires a balanced judgement to be made, having regard to the scale of any harm or loss and the significance of the heritage asset. In these circumstances, the total loss of the heritage asset would conflict with policy CS33 of the Reading Borough Local Development Framework Core Strategy adopted 2008 (CS) which protects the historic environment and seeks its enhancement. This weighs against the proposal. I turn now to its replacement"*.

2.2 And in para 11: *"Allowing the proposed development would conflict with its advice that decisions should ensure that developments are sympathetic to local character and history, are visually attractive as a result of good architecture and layout, and create distinctive places to live"*.

2.3 Reading CAAC feel that a sympathetic extension and expansion of accommodation units in the property would be a more appropriate solution than demolition. The property retains many original features which are worthy of a continued useful life.

2.4 As well as retaining a heritage asset, this would also be a more environmentally sustainable solution.

3. DESIGN

3.1 The current design while of 'traditional' appearance, mocks the house built by George Parsons with the attempt at a replacement for the oriel window which was one of the most unique features of the house.

4. CONCLUSION

4.1 Whilst this application may address many of the reasons for refusal of application 171719 it still results in the loss of a heritage asset which could be sympathetically extended and retained in use."

Reading Civic Society

We wish to restate very firmly the position we took with regard to the planning application in 2017 (no 171719) that the planned demolition of this building is totally inappropriate and un-necessary. Our key points are:

1. The Planning Inspector, in October 2018, gave great weight to the value of the building even though he said there was nothing remarkable about it. There were 4 reasons the appeal was rejected, of which 2 related to the impact of the loss of the heritage asset. These would still apply with the current application.

2. The building is in good condition and well maintained internally and externally.

3. Whilst we understand that it is a large home, and that the owner, Mr Cataline, wishes to move on as the majority of his family have left, we argue that demolition is not the answer.

4. The property has not been marketed to test interest in it as a family home. Given its proximity to the station and with a good west facing garden we believe it would find a market as a home. We are aware of distinguished large properties in other parts of Reading which have been bought as family homes by people coming out of London, rather than for HMOs.

5. Since the 1920s part of the house has been rented out whilst still remaining in single ownership and this continued under the existing owner (a very early HMO).

6. We believe the building should be added to the Local List. Whilst there are many Edwardian houses in Reading this one seems far more impressive and distinguished and unusual in Reading, in its form and presence on the street scape. It also has a local history which we provided in our comments on the last planning application (see attachment to this letter).

7. We note also comments from neighbouring property, 29 Brunswick Hill, about the degree of overlooking of their property and garden. The degree of overlooking of the garden of a neighbouring property was one of the five reasons the Planning Inspector rejected the Appeal re 3-5 Craven Road in 16 November 2018.

The Planning Inspector in the decision in November 2018 re no 39 said *"Whilst there is nothing remarkable about the house... it has an interesting composition of well-detailed architectural elements including a distinctive, curved oriel window, a four-centred arch over the entrance, stone dressings around openings and a background of crisp, red brick in which diapering and bands are picked out in blue headers. Its materials and architectural language make a passing reference to the Victorian houses further down the street but the idiosyncratic arrangement of the architectural elements , and the exuberance of its scale distinguish it from them. "... its heritage interest has more than sufficient architectural significance to be a material consideration in determining the appeal.....the total loss of the heritage asset would conflict with policy CS33 of RBC Local Development Framework Core Strategy (RBCLDF) which protects the heritage environment and seeks its enhancement. This weighs against this proposal"*

The inspector concluded about the proposal *"....However, this is outweighed by 1. the loss of the heritage asset, 2. the harm to the character and appearance of the area, 3. the inappropriate mix of dwelling size and type, 4. and its lack of provision for an employment and skills plan or alternative contribution, which is in clear conflict with the policies of the development plan. For the*

reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

This building is exactly the type of building which the Victorian Society, which champions Victorian and Edwardian buildings (to 1914), seeks to encourage local authorities to conserve. It is asking groups to identify Victorian and Edwardian buildings under threat.

To quote the Victorian Society “Victorian and Edwardian buildings are irreplaceable, cherished, diverse, beautiful, familiar and part of our everyday life. They contribute overwhelmingly to the character of places people love and places where people live. They belong to all of us. Their owners are really only custodians for future generations.”

During the site visit re 171719 we were invited to view the inside of the property by the existing owner, Mr Cataline, who has lived there with his family since 1998. We noted that not only has he maintained the outside of the building well but that the same applies to the inside of the house and the garden. This is NOT a building which is suffering from neglect. Mr Cataline has been a good custodian.

The demolition which would follow approval of the application therefore is even more inappropriate.

We ask that the PAC resists the advance of the bulldozer, which is part of this application, and demands a more appropriate solution which will retain the building, we accept this may include use as an HMO. In addition we ask for full consideration be given for Local Listing.

Additional objections

1.2 8 Additional letters of representation received from the following addresses: 10, 18, 21, 25, 29 and 41 Brunswick Hill, and 2 Deepdene Close. The content of these letters have been summarised as follows:

- The flats will invade privacy and overlook neighbouring gardens.
- Vehicle movements down the side of the property will generate additional noise and fumes and increase risk of accident;
- This development devalue adjoining properties;
- There are enough flats on Brunswick Hill already;
- Brunswick Hill is a one way road which does not need more traffic flowing through;
- Permitting a large development of many flats would not help the sense of community in Brunswick Hill;
- Insufficient infrastructure exists to support the increased number of residents in the area;
- Neighbour notification has been insufficient;
- The property is a stately family home which should be lived in by a family who can become part of this community. Not converted a series of 9 small flats.
- The house itself is full of history and character with many interesting features.

- In recent years a significant number of large older houses have been turned into flats.
- Some conversions have been good but several have been of very poor quality providing low quality accommodation;
- Why such a lot of green space in the town centre is being covered over for car parking.
- Concern raised about the over population with more people living in this area;
- Disagree that the new plans have done enough to outweigh the “harm” to the character of the area.
- Development is also in breach of a registered covenant dated 1904;
- The Conservation Area Advisory Committee expressed the opinion that it considered that Brunswick Hill was worthy of some level of heritage protection due to the considerable level of historical buildings and street furniture in the road.
- New building will have a much wider frontage than the current building and will extend much deeper on the plot than the current property;
- New building would not be visually attractive, it will be modern and featureless building and will be extremely prominent on the street because of its positioning near the top of the hill;
- The planned development does not provide for a mix of housing;
- There has been no provision for school places or medical provision required by these extra residents;
- Reading needs flats and affordable housing but not at the detriment of the existing buildings;
- Number 39 is an architectural jewel on Brunswick Hill;

Officers advise that these issues are all covered in the Appraisal to the main agenda report and no further response is required.

2. Affordable Housing

- 2.1 Further to paragraph 7.28 of the main report and in line with the Council’s independent viability review, Officers consider it relevant and necessary (in light of established planning policies and housing objectives in the Borough) to seek the provision of a deferred affordable housing contribution mechanism to be secured as part of any recommendation to approve. Residual valuations are highly sensitive to changes in costs and values over time, therefore a deferred contributions mechanism would ensure that any improvements in viability that result in a profit surplus being generated, would trigger the payment of affordable housing contributions.
- 2.3 A deferred payment mechanism has been agreed between the developer and your officers, pending formalisation. The incorporation of such a mechanism will enable the Council to share in any subsequent uplift in the site’s value and is considered a proactive approach. Based on the inputs agreed during the viability appraisal, an affordable housing review would trigger when a profit point of 17.5% is reached. With such a mechanism as part of any legal agreement, Officers remain content that the proposals are policy compliant in this respect.

- 2.4 In order to prevent any change in the unit mix or increase in the number of units hereby proposed, it is also recommended that a condition is secured preventing any such change without express planning permission from the Local Planning Authority. This is to safeguard the mix altering to potentially unacceptable mixes in the future, while also having a dual benefit of not altering the sales values of units (which could improve scheme viability) without this being managed and assessed by the Local Planning Authority. Separately to any planning condition is the need to capture through the legal agreement any affordable housing liability through the uplift in site value as a result of any such change.
- 2.5 In order to incorporate the above matters in any legal agreement, the officer recommendation is amended and an additional condition (Condition 19) is attached (See below):

3. *Additional condition*

19. Notwithstanding the provisions of the GPDO 2015 no change to the unit mix (4 x 1-bed and 5 x 2-bed units) shall be made to the development hereby permitted without express planning permission from the Local Planning Authority.

Case Officer: Brian Conlon