COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 4 SEPTEMBER 2019

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: 6 Sept 2019

RECOMMENDATION:

Delegate to Head of Planning, Development and Regulatory Services to:

GRANT Full Planning Permission with appropriate conditions and informatives, subject to the satisfactory completion of a S106 legal agreement by 19th July 2019 to secure a Traffic Regulation Order (TRO) amount £5,000

OR

REFUSE permission should the S106 agreement not be completed by 6th Sept 2019, unless the Head of Planning, Development and Regulatory Services agrees to a later date for completion of the agreement to be able to grant permission.

Conditions to include:

1. Time limit for implementation (3 years)
2. Approved plans
3. Sample of materials to be provided prior to construction
4. Hard/soft landscaping scheme including boundary treatment
5. Landscaping implementation
6. Landscaping maintenance/replacement
7. Biodiversity enhancements
8. Access control strategy in accordance with Secured by Design
9. Parking permits 1
10. Parking permits 2
11. Bicycle parking space provided in accordance with approved plans
12. Vehicle access provided in accordance with approved plans
13. Vehicle parking space provided in accordance with approved plans
14. Construction Method Statement
15. Hours of Working – Construction and demolition phase
16. Noise assessment
17. Refuse Storage
18. No Bonfires

Informatives to include:

1. Positive and Proactive Statement

2. Terms and conditions
3. Need for Building Regulations approval
4. Construction nuisance informative
5. No Parking Permits
6. Highways
7. Building Regulations Approved Document E

1. INTRODUCTION

1.1 This planning application was reported to the 17 July 2019 Planning Applications Committee, when the Committee resolved to defer considering the application to allow time for members to carry out undertake an accompanied site visit. That report is provided at Appendix 1.

1.2 Two addition letters of objection have been received. The contents of which are summarised as follows:

- This is a very old and attractive building, one of the nicest on the street. It is a large house and could be redeveloped into flats without demolition of the structure.
- I live downhill from 39 at 33 and the new building would seriously overlook my back garden.

1.3 No new material planning considerations have been raised since the 17 July committee and there have been no changes in relevant policy or guidance. Consequently there is no change to the original officer recommendation.

Case officer: Brian Conlon

APPENDIX 1

COMMITTEE REPORT

BY THE DIRECTORATE FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL **ITEM NO.**
PLANNING APPLICATIONS COMMITTEE: 17th July 2019

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:

Delegate to Head of Planning, Development and Regulatory Services to:

GRANT Full Planning Permission with appropriate conditions and informatives, subject to the satisfactory completion of a S106 legal agreement by 19th July 2019 to secure a Traffic Regulation Order (TRO) amount £5,000

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REFUSE permission should the S106 agreement not be completed by 19th July 2019, unless the Head of Planning, Development and Regulatory Services agrees to a later date for completion of the agreement to be able to grant permission.

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Informatives to include:

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5. No Parking Permits
6. Highways
7. Building Regulations Approved Document E

1. INTRODUCTION

1.1 This application relates to the redevelopment of a residential plot, containing a substantial 2.5 storey Edwardian detached house on the west side of Brunswick Hill, a residential road running north from Tilehurst Road. The site is 0.14 hectares, with a 25 metre frontage and 56 metre depth, equating to 1400 square metres in area).

1.2 Brunswick Hill slopes downhill from south to north, and contains a variety of types and sizes of dwellings, though they are predominantly of two storey. Opposite the application site is a gap in the street scene where the houses are set down at a lower level from the road. There has been some more modern infill in the road, including number 35 adjacent to the application site.

1.2 Number 39 has a three storey gable on the front elevation and a two and a half storey element on its southern side. It is a grand property in a 'Queen Anne Revival' style and dates from the early Twentieth Century. Internally, the property is largely unaltered, although the previous application site visit in 2017 found evidence of informal subdivision to create a separate accommodation over the basement and part of the ground floor.

1.3 There is a single storey detached garage on the northern side of the dwelling (probably original or of similar age to the property itself) and this is also in partially separate residential use as a dwelling/artist's studio, although there is no kitchen or bathroom, these facilities being shared with the tenanted unit in the basement/ground floor of the main house.

1.5 The property has a large rear garden that backs on to vegetated railway land, and beyond, the railway, which is sunk into a cutting at this point with the pedestrian slope down to Reading West station. The garden has a brick wall running down the North, East (front) and South sides and a wooden fence on its Western frontage towards the railway. The garden is mature and a mix of lawn, vegetable garden and shrubs and some fruit trees.

Fig 1: Location plan (not to scale)

Fig 2: Front elevation

2. BACKGROUND

1.3 This submission follows refused application 171719 and the dismissed appeal ref: APP/E0345/W/18/3200081.

1.4 Application 171719 sought permission to demolish the existing house and garage, and its replacement with a new two/three storey building comprising 10 flats with

parking at the rear. This current proposal directly seeks to overcome those identified reasons for refusal.

The original reasons for refusal of application 171719 were as follows:

1. 'Mix and range of dwellings'

The development proposes 20% three-bedroom units only and is a flatted development only. This would fail to produce a proposal where the majority of the units are larger three-bedroom units or a proposal where the majority are houses, where such accommodation is the greatest identified area of need in the Borough. The application therefore proposes an unacceptable mix and inappropriate range of dwelling types, which is also contrary to the character of the dwelling types in the immediate area, these being predominantly single family dwellings, contrary to Policy CS15 (Location, Accessibility, Density and Housing Mix) of the Reading Borough LDF Core Strategy (2008, as altered 2015) and policies DM5 (Housing Mix) and DM11 (Development of Private Residential Gardens) of the Reading Borough LDF Site and Detailed Policies Document (2012, as altered 2015).

2. 'Character and appearance'

The design of the proposal is considered to respond insensitively to the immediate streetscene and pattern of development by producing an overly-wide frontage and overly-extended flank walls; by failing to respond adequately to the topography of the site; failing to include design features which are characteristic of Brunswick Hill; and by producing a design which would fail to produce a safe and secure environment. For these reasons, the proposal does not respond positively to the local context or maintain or enhance the local character and appearance of this part of Reading, nor sufficiently justify the loss of the existing building (a non-designated Heritage Asset) contrary to policies CS7 (Design and the Public Realm) and CS33 (Protection and Enhancement of the Historic Environment) of the Reading Borough LDF Core Strategy (2008, as altered 2015) and policies DM10 (Private and Communal Outdoor Space) and DM11 (Development of Private Residential Gardens) of the Reading Borough LDF Site and Detailed Policies Document (2012, as altered 2015).

3. 'Amenity of future occupiers'

The windows to all three rooms in the ground floor flat (front, south), which is sunk into the southern bank at this point so as to be a semi-basement unit, will be surrounded at relatively close quarters by high walls. In the absence of suitable information to conclude otherwise, it is considered that this flat will experience very poor access to daylight, possibly no access to sunlight, visual dominance and overbearing and a lack of a suitable outlook. The above situation is indicating that the development will provide an unacceptably significant detrimental effect on the living environment of this residential unit, contrary to Policy DM4 (Safeguarding Amenity) of the Reading Borough LDF Sites and Detailed Policies Document (2012, as altered 2015).

4. 'Failure to provide for S106 (ESP & TRO)'

As submitted, the application has failed to provide a completed Section 106 legal agreement/unilateral undertaking in order to secure a construction phase Employment and Skills Plan (ESP), or to adequately provide for the required Traffic Regulation Order (TRO) to amend parking restrictions in the Controlled Parking Zone on Brunswick Hill to allow the creation of a vehicular access. For these reasons, the proposal is contrary to policies CS9 (Infrastructure, Services, Resources and Amenities) and CS13 (Impact of Employment Development) of the Reading Borough LDF Core Strategy (2008, as altered 2015) and policies DM3 (Infrastructure Planning) and DM12 (Access, Traffic and Highway-Related Matters) of the Reading Borough LDF Site and Detailed Policies Document (2012, as altered 2015). The proposal also fails to comply with the Council's adopted Supplementary Planning Documents: Revised Parking Standards and Design (2011); Employment, Skills and Training (2013); and Section 106 Planning Obligations 2015.

2.3 In his concluding remarks in the appeal decision letter, the Inspector stated:

"the development would provide 10 dwellings to local housing supply, with acceptable living conditions for future occupiers and adequate provision for off-street parking. However, this is outweighed by the loss of the heritage asset, the harm to the character and appearance of the area, the inappropriate mix of dwelling size and type, 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."

2.4 This application has been called-in for Committee determination by the request of the Ward Member. Members previously visited the site on 1st February 2018 when considering application 171719.

3. PROPOSAL

3.1 This proposal seeks permission for the erection of a replacement building containing 9 no. apartments with parking at rear following demolition of existing building and its garage.

3.2 The proposed units comprise of 4 x 1-bed and 5 x 2-bed units. No affordable housing is proposed on the basis of the viability of this scheme.

4. PLANNING HISTORY

171719	Erection of part two/part three storey building containing 10 no. apartments with parking at rear following demolition of existing buildings.	Refused 07/03/2018 (Appeal APP/E0345/W/18/3200081 dismissed 14 November 2018)
05/00886/OUT	demolition of nos 35-39 and erection of 4no townhouses	Refused 1/11/2005.

891317/891318	demolition of existing house and garage, construction of 10 flats with associated car parking	Refused 18/5/1989.

5. CONSULTATIONS

RBC Transport:

The site is located on the western side of Brunswick Hill which is in close proximity to frequent bus services travelling along Tilehurst Road. The proposals include the demolition of the existing building and erection of a new building containing 9 no. apartments with parking at rear. The scheme will provide 4 x 1-bed and 5 x 2-bed and 12 parking spaces.

The proposed flats will be accessed from Brunswick Hill via the existing access which will be widened to 4.8m to facilitate two-way vehicular traffic for a distance of 10m into the site. It should be noted that an access width of 4.1m would be acceptable (to facilitate two-way traffic) although visibility splays of 2.4m x 43m should be submitted if this is to be considered.

A driveway is proposed on the northern side of the building, leading to a parking courtyard, comprising of 12no. parking spaces. The site is situated within a designated Resident Permit Holders zone and a permit holders only bay currently runs across the site frontage terminating just before the existing access. A shared use bay commences from this point across the vehicular access.

The proposed widening of the access would require changes to the residents parking and shared use parking bays. This process involves changes to the Traffic Regulation Order (TRO) which will require approval by the Traffic Management Sub Committee (TSUB) and will be subject to statutory consultation. Given TRO's are under separate legislation to the Planning Act there is a possibility they may not be approved. However, any costs associated with the changes to the TRO and on-street signage and markings would have to be paid upfront by the applicant before commencement on site. The costs associated with this process are in the region of £5,000 which should be secured with the S106 agreement.

Further, as illustrated on the site plan, the lamp column adjacent to the existing access would need to be relocated. The applicant should be aware that they would be liable for any costs associated with relocating the lamp column (separate to the costs associated with the changes to the parking regulations) and that these works should be undertaken with the Council's approved contractor SSE before the any works associated access is implemented.

The applicant should be advised that the future residents of the properties would not be entitled to apply for a residents parking permit for the surrounding residential streets where parking is under considerable pressure. This will ensure that the development does not harm the existing amenities of the neighbouring residential properties by adding to the already high level of on street car parking in the area.

In respect of parking provision, the development would be required to provide a parking provision of 1 space per 1-2 bedroom flat plus 1 space for visitor parking.

The development provides a total of 12 parking spaces which complies with Council's adopted parking standards. The proposed parking layout is acceptable.

In accordance with the Council's Parking Standards and Design SPD, a minimum provision of 6 cycle parking spaces should be provided. The site layout provides for secure cycle storage to the rear of the building adjacent to the access road which provides convenient access.

The bin store is conveniently located at the front of the site which will provide easy access for refuse collection.

A Construction Method Statement will be required given the significant remodelling of the site proposed within this application. The proposed work should be in accordance with the Borough's Guidance Notes for Activities on the Public Highway. Before construction starts on site, the applicant must commence the TRO process which will aid the construction process.

In principle, there are no transport objections subject to conditions and S106 requirements.

RBC Planning Natural Environment Team

There are no objections to the tree removals as the proposed landscaping includes replacements which mitigate their loss. We will however require details listed in the conditions below.

One of the trees to be planted will need to fulfil the requirements to replant a previously removed beech tree protected by TPO 105/05 removed in 2014. This will need to be another beech (Fagus sylvatica) planted as close to the position of the original tree as practicable to provide it with sufficient future space to reach maturity without interfering with access or light.

RBC Ecologist

The application site comprises a detached dwelling where it is proposed to demolish the building and construct 9 apartments. A previous application was refused for non-ecology related reasons.

The bat survey report (Arbeco, September 2017) has been undertaken to an appropriate standard and concludes that the building does not have any features suitable for use by roosting bats. Although the survey was carried out in 2017, it is considered unlikely that the condition of the building has significantly change since and as such, the results of the survey are still considered to be valid.
The site backs on to a railway corridor, with connected gardens with trees to the north and south and a line of trees 40m southeast. Since the site is connected to habitat of good ecological value, in accordance with paragraph 175 of the NPPF, opportunities for wildlife – including bird and bat boxes and wildlife-friendly planting – should be incorporated into the development.

Overall, subject to the condition below, there are no objections to this application on ecological grounds.

Berkshire Archaeology

Having reviewed the documentation submitted with this application, I can confirm that there are no concerns as regards the buried archaeological heritage and no further action is therefore required. Berkshire Archaeology's advice is consistent with that offered in relation to the previous similar proposal for this site (Application 171719).

RBC Environmental Protection

Environmental Protection concerns

- Noise impact on development
- Noise transmission between dwellings
- Air Quality impact – increased exposure / new receptors
- Construction and Demolition phase

Noise impact on development

A noise assessment has been submitted which specifies the noise insulation performance that will be required for the glazing etc. No scheme has yet been submitted demonstrating that what is proposed will meet the performance requirements, therefore I recommend the following condition, which may need rewording given they have already complied with the assessment part.

Sound Insulation from External Noise

No development shall take place until a detailed scheme, informed by an assessment of the current noise environment, for protecting the dwellings from the external noise environment of the area has been submitted to and approved, in writing, by the Local Planning Authority. The scheme itself shall be designed, specified and constructed so that the sound insulation performance of the structure and the layout of the dwellings are such that the indoor ambient noise levels do not exceed the values detailed in Table 4 of BS 8233:2014. Where opening windows will lead to an internal noise level increase of 5 dBA or greater above BS 8233:2014 recommended internal levels, the scheme shall include provision of alternative mechanical ventilation with minimum performance equivalent to a mechanical heat recovery (MVHR) system with cool air bypass as an alternative means of cooling and ventilation. Noise from the system should not result in BS8233 internal levels being exceeded. Thereafter, the development shall not be carried out other than in accordance with the approved scheme which shall be completed before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing.
Reason: to protect the amenity of future occupants of the proposed development.

Noise between residential properties – sound insulation of any building

Informative

To minimise the disturbance by noise of future residential occupiers of the flats and its effect on neighbouring residents, residential accommodation must be designed and constructed or converted so as to achieve the insulation requirements set out in Building Regulations Approved Document E.

Air Quality - Increased exposure

I have reviewed the air quality assessment submitted with the application, which concludes that no mitigation is required as part of the development.

I consider that there are no conditions required regarding air quality.

Construction and demolition phases

We have concerns about potential noise, dust and bonfires associated with the construction (and demolition) of the proposed development and possible adverse impact on nearby residents (and businesses).

Fires during construction and demolition can impact on air quality and cause harm to residential amenity. Burning of waste on site could be considered to be harmful to the aims of environmental sustainability.

Reading Civic Society (RCS)

No comments received.

Reading Conservation Area Advisory Committee (CAAC)

No comments received.

RBC Heritage Consultant

No. 39 Brunswick Hill is a well-constructed two-and-a-half storey Edwardian building, following a relatively common form of red brick with stone dressings; the building includes some grey brick diaper work patterning. The building has a modest villa style with a bay window, oriel window and stone mullioned windows. Architecturally the building is not considered to be especially noteworthy except in relation to surrounding buildings which are generally modern or inter-war buildings of lesser quality.

The building was proposed for local listing in 2017. As a building from the early 1900s, it would fit within the 1840 – 1913 time period which requires that any building, structure or group of buildings that is/are substantially complete and unaltered and of definite significance. The building is of good-quality, well-built and detailed and highly serviceable, no doubt with many years left in the structure. However, it is not considered to be achieve the architectural and historic criteria necessary for local listing.

As a result the building was acknowledged to be of good-quality, well-built and detailed and highly serviceable, but did not achieve the architectural and historic criteria necessary to merit local listing.

Appeal 171719 (APP/E0345/W/18/3200081)

The above application was refused and went to appeal. In the decision letter, the Inspector acknowledged the view of the Council's dismissal of the building for local listing, describing it as large Edwardian villa with little in its form, siting, landscape or plot arrangement that makes it remarkable.

In the Inspector's view, the building has more than sufficient architectural significance to have been a material consideration in determining the appeal and

that under the NPPF a balanced judgement had to be made, having regard to the scale of any harm or loss and the significance of the heritage asset.

In those circumstances, the Inspector concluded that the total loss of the heritage asset would have conflicted with Policy CS33 of the Reading Borough Local Development Framework Core Strategy adopted 2008 (CS) which protects the historic environment and seeks its enhancement which weighed against the proposal.

Proposals

The proposed development would provide 9 dwellings and off-street parking.

As concluded in the appeal decision APP/E0345/W/18/3200081 however, this is partly outweighed by the loss of the heritage asset which conflict with the policy CS33 of the development plan. Therefore, this harm should be a balanced against any public benefits in the planning balance according to paragraph 197 which states that:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Thames Valley Police Crime Prevention Design Advisor

No objections subject to following observations relating to:

- Rear court parking areas;
- Boundary Treatments;
- Apartment Mail delivery/residential security;
- Physical Security;
- Creation of secure communal lobbies;
- Bin and cycle store doors;
- Residential door Sets;

And condition relating to:

- Access control strategy

External Surveyors (acting for RBC Valuers)

Satisfied that the overall viability assessment is reasonable, and agree with the conclusion that the scheme, based on present-day costs and values, cannot viably make any contributions towards affordable housing.

Public consultation

Letters were sent to neighbouring properties on Brunswick Hill and a site notice was displayed at the front of the property. 5 responses were received from 2 separate addresses. These are summarised as follows:

- Loss of a characterful and historical building
- New development will look odd in the middle of a street;
- Development will cause more congestion and increased traffic;
- Off road parking facility will take away more permit parking spaces;
- Development will add to sewerage and drainage pressures;
- Overlooking of gardens of nearby houses;
- Additional traffic will cause safety and parking problems

6. RELEVANT POLICY AND GUIDANCE

6.1 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) - among them the 'presumption in favour of sustainable development'.

The following policies and documents are relevant:

National Planning Policy Framework (NPPF) (Feb 2019)

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 5 - Delivering a sufficient supply of homes
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 14 - Meeting the challenge of climate change, flooding and coastal change
Section 16 - Conserving and enhancing the historic environment

Reading Borough Local Development Framework Core Strategy (2008, altered 2015)

CS1: Sustainable Construction and Design
CS4: Accessibility and the Intensity of Development
CS7: Design and the Public Realm
CS9: Infrastructure, Services, Resources and Amenities
CS14: Provision of Housing
CS15: Location, Accessibility, Density and Housing Mix
CS16: Affordable Housing
CS17: Protecting the Existing Housing Stock
CS24: Car/Cycle Parking
CS27: Maintaining the Retail Character of Centres
CS33: Protection and Enhancement of the Historic Environment
CS34: Pollution and Water Resources
CS35: Flooding
CS36: Biodiversity and Geology
CS38

Sites and Detailed Policies Document (2012, altered 2015)

SD1: Presumption in favour of sustainable development
DM1: Adaptation to climate change
DM4: Safeguarding amenity

DM5: Housing mix
DM6: Affordable housing
DM10: Private and communal outdoor space
DM11: Development of private residential garden land
DM12: Access, traffic and highway-related matters

Emerging Local Plan - Submission Draft Reading Borough Local Plan (March 2018)
Reading's Draft Local Plan has been subject to Examination by the Secretary of State and is likely to be adopted by early 2019 at which point the policies will fully apply. http://www.reading.gov.uk/newlocalplan

Supplementary Planning Documents

Revised Parking Standards and Design (2011)
Revised Sustainable Design and Construction (2011)
Revised S106 Planning Obligations (2013)
Affordable Housing (2013)

Other material guidance and legislation

National Planning Practice Guidance (2019)
Section 72 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990
The Community Infrastructure Levy (CIL) Regulations (Amended 2015)
Department for Transport Manual for Streets
Department for Transport Manual for Streets 2
Technical Housing Standards – Nationally Described Space Standard, DCLG, 2015

7. APPRAISAL

7.1 The main issues raised by this planning application are:

(i) Principle of development
(ii) Design and impact on the character of the area
(iii) Amenity of future occupiers
(iv) Impact on neighbouring properties
(v) Transport and parking
(vi) Affordable Housing
(vii) Other matters
-

(i) Principle of development

7.2 The application site currently contains a large detached Edwardian property within residential use. The extent of the current accommodation is such that it would only be suitable for a very large family or subdivision as appears to be the case currently, albeit this is somewhat informal. The proposed development would provide 9 dwellings in a range of unit sizes (1 and 2 bedroom flats) in a sustainable location. In making best use of the land available and meeting an established need for housing, the proposal is considered to comply with Policy CS14 (Provision of Housing).

Dwelling mix and type

7.3 Policy CS15 of the Core Strategy indicates that the appropriate density and mix will be informed by assessing the characteristics including land uses in the area; the level of accessibility; the requirements for good design; and the need to minimise environmental impacts, including impacts on adjoining occupiers. Policy DM5 expands upon this, requiring that for developments of 10 or more dwellings outside the central area and defined district and local centres, over 50% of dwellings shall be of 3 bedrooms or more and the majority of dwellings will be in the form of houses rather than flats.

7.4 In concluding that the previous scheme would not provide an appropriate mix of dwelling sizes and types in accordance with Policy DM5 (Refusal Reason 1), the Inspector specifically made reference to the fact that were the scheme to contain one fewer dwelling, then the requirements of Policy DM5 would no longer apply. As this revised proposal is now for 9 dwellings (and therefore below the threshold of 10), the dwelling mix requirement of Policy DM5 is no longer applicable and the mix of 1 and 2 bedroom units is no longer contrary to policy.

7.5 In accepting there is no longer any policy requirement to provide a specific mix of dwellings, there remains the need for Officers to consider the type of dwellings proposed (flats) and whether their introduction into an area predominantly characterised by single family dwellings is acceptable.

7.6 Whilst the area is composed mainly of single family dwellings, it is acknowledged that more recent flatted schemes have been permitted and implemented along the street. The existing property, whilst substantial, was already witnessed to have been partially subdivided into separate units of accommodation under the previous planning application. Therefore, in all likelihood, should the Council have received a formal planning application to convert the existing property into flats, then it is unlikely the principle of conversion to flats would have been found unacceptable given the specific size of the plot, scale of the existing building and little demonstrable harm to the established character or appearance of the area. Notwithstanding a requirement to meet technical standards for conversions, the principle of introducing flats within a single building on this site is likely to be acceptable.

Sustainable development

7.6 The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development and this is reflected in SDPD Policy SD1. This should be seen as a golden thread running through both plan-making and decision-taking. It is therefore necessary for the LPA to again consider carefully to what degree this revised proposal would meet the sustainable development goals of the NPPF and the development plan in terms of their economic, social and environmental role.

7.7 The economic role of the NPPF requires proposals to contribute to building a strong, responsive and competitive economy. The social role requires planning to support strong, vibrant and healthy communities and states that it should create a high quality built environment. The environmental role states that the natural built and historic environment should be protected and enhanced and should mitigate and adapt to climate change.

7.8 This proposal would undoubtedly contribute to the local economy through the actual construction and fit-out of 9 dwellings, or through construction trade for

local businesses and suppliers, or by future occupants. The redevelopment of this site would also have a 'positive' social aspect through the increase in supply and mix of dwellings within the area, supported by paragraph 59 which encourages LPA's support the Government's objective to 'boost significantly the supply of housing'.

7.9 The NPPF also encourages the effective use of land by reusing sites which have been previously developed (brownfield land). Such residential development could reasonably be expected to demonstrate a degree of inherent sustainability through compliance with Building Regulations' standards and therefore is considered to perform a positive environmental role as required by the NPPF.

(ii) Design and impact on the character of the area

7.10 Central in this current assessment (as with previous application 171719), is whether the existing building merits retention and then secondly whether the proposed replacement development is of sufficient quality to provide a development which is suitably reflective of the character of Brunswick Hill.

7.11 The Conservation Area Advisory Committee (CAAC) and Reading Civic Society (RCS) objected to the original application for demolition and replacement. It was felt that not only was the building a notable structure in the streetscene of Brunswick Hill, but because of its largely unaltered condition was worthy of local listing. Since the previous application, the property remains unaltered and its status as 'unlisted' remains.

7.12 The RCS also felt that its importance is also central to the Brunswick Hill streetscene/area, which should be protected and plans to do this will be significantly harmed by the loss of this key property.

7.13 In seeking updated comments from the Council's Heritage Consultant, it remains the case that the building does not meet the Council's adopted selection criteria for a Locally Listed Building. Being a relatively young Edwardian building (circa. 1906) of a pleasing but relatively common 'Queen Anne Revival' style, it is considered to have limited historical or other architectural interest, reliant upon its localised townscape value. For these reasons, Officers remain of the view that the locally listing selection criteria continue not to be met. Its status therefore, is of a non-designated Heritage Asset?

7.14 Therefore, providing that the proposal complies with other adopted planning policies, there remains no in-principle objection to a residential redevelopment of the site involving the loss of the existing property.

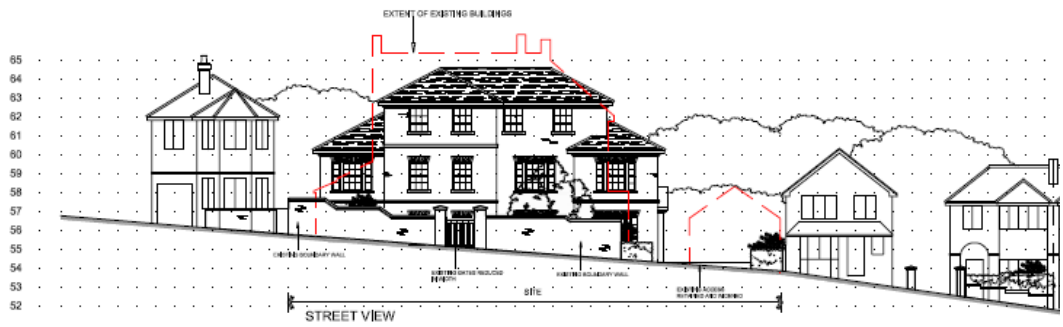
7.15 The Inspector acknowledged and accepted the Council's discounting of the building for local listing, describing it as a "*large Edwardian villa with little in its form, siting, landscape or plot arrangement that makes it remarkable*". Nonethless in the Inspector's view, the building was considered to have more than sufficient architectural significance to be a material consideration in determining the appeal and that under the NPPF a balanced judgement had to be made, having regard to the scale of any harm or loss and the significance of the heritage asset. In establishing whether there is an inappropriate loss of an 'undesignated heritage asset' under this revised application as required by the NPPF and Policy CS33, Officers must consider the proposed replacement and its appropriateness within the context of the area.

7.16 A detailed Heritage Statement has been submitted with this revised application and covers these matters in detail. It also must be recognised that the design has been notably revised since the previous application and appeal, in responding to feedback received from both Officers and the Inspector.

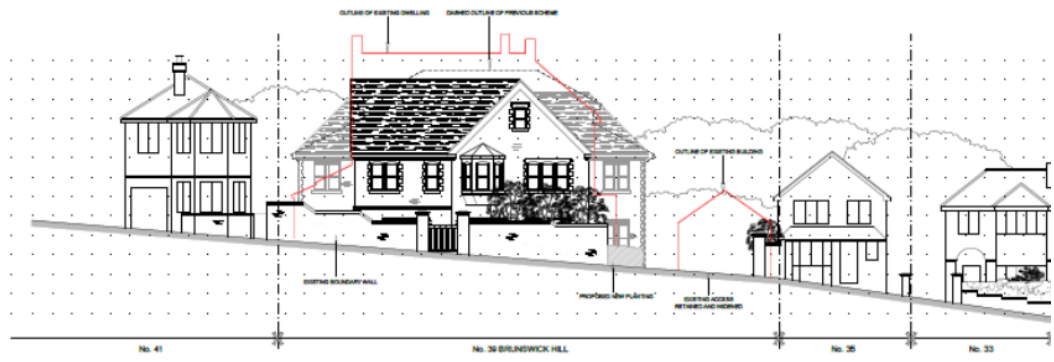
7.17 Firstly, the scale of the building has been reduced, with either wing recessed, preventing the appearance of a single mass of built form across the developed part of the frontage. The building has also been reduced to 2½ storey in height with a ridge height that is now lower than the existing building which occupies the site and the earlier refused scheme (including its eaves height). The proposal now includes a steeper roof pitch (drawn from the existing building), meaning that that the proposal is effectively reads as the same storey height as the existing building, as opposed to the full three storeys, which was an identified shortcoming of the previous scheme.

7.18 Finally, the replacement building is now considered to be of a more 'high quality' traditional appearance, making greater use of more appropriate design and fenestration features which draw on the key characteristics displayed by the existing building. These were identified by the Inspector as: *"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"*.

7.19 The revised design has actively responded to the Inspector's criticism of the previous scheme that properties along the street, *"share a generally consistent eaves height, stepping down the hill. The higher eaves of the proposal would step upwards from its neighbour up the hill, rather than downwards"*. As a result of the ridge and eaves height being set lower than those of the existing building, the scheme now effectively 'steps down' the street when viewed alongside Nos.41 & 35 (Fig 3 below).



Refused street scene



Proposed street scene

Fig 3: Comparision street scene (Not to scale)

7.20 Overall, the revised roof form together with increased articulation, the provision of a narrower building frontage and staggered side elevations, results in a building that is notably less 'bulky' and more architecturally sensitive than the refused scheme, especially when viewed views down the hill and from the adjoining Conservation Area.

7.21 Nonetheless, Officers remain of the view that the current building (a non-designated heritage asset) does make a positive contribution to both the street scene and in part, views experienced into and out of the Downshire Square Conservation Area, however for the reasons set out above, the proposal now represents a substantial improvement on that previously refused. Specific materials can be carefully controlled and therefore there remains (as established under 171719) nothing to suggest that the general architectural theme proposed would be out of keeping with the prevailing character of the area.

7.22 In accepting the scheme will result in the loss of a 'non-designated heritage asset', the established position that the building does not meet the criteria for inclusion on the local list and the fact there would be no in principle objection to a residential redevelopment of the site as established under 171719, the replacement building is now considered to largely, if not entirely to mitigate this loss of the existing building when carefully applying the 'balanced judgement' required by paragraph 197 of the NPPF. This position will be considered in the overall conclusion, and weighed against those identified 'public benefits' of the scheme (as set out in the remainder of the report).

(iii) Amenity of future occupiers

7.23 Despite Council refusal Reason 3, the Inspector previously found that there would be no conflict with the need to safeguard the amenity of future occupiers. The revised internal layout of all proposed flats would continue to be satisfactory, the majority of which are now duel-aspect, either having a primary outlook over the front or a rear garden. The site plan is not clear on exactly whether the rear garden is to be communal or private to the ground floor flats only, but the amount of amenity space available is sufficient and can be controlled by condition. Sound control measures required by current Building Regulations along with stacking of same rooms prevent any harm in this regard. Outlook from each flat and attainable light levels are also acceptable too. Therefore the revised scheme is considered to comply with Policy DM4 (Safeguarding Amenity) and overcome former Reason for Refusal 3.

(iv) Impact on neighbouring properties

7.24 This development is likely to cause two main areas of impact for neighbouring properties: the effects of the increase in scale of the building and additional disturbance caused by the increased intensity of residential use.

7.25 As described in the section above, the issue is the massing and in particular, the scale and massing of the building has been revised since the previous refusal. However, the impacts upon neighbours are largely unchanged from the previous submission. No. 41 to the south has a rear extension and the submitted plans indicate that no habitable room windows would be adversely affected, with a 45 degree angle maintained. On the northern side, it is recognised that No. 35 would experience a degree of overbearing from the development, especially as the new building would be to the south of this property. However, similar to the refused scheme, there would continue to be a 6.5 metre intervening gap to allow the rear access drive, creating a sufficient setback to prevent any significant harm in terms of loss of daylight and sunlight to habitable rooms. This is further mitigated by the reduced ridge and eaves height.

7.26 The development will result in additional residential activity over the present situation, with additional comings and goings and access to and use of the parking area. This may be noticeable from surrounding properties and will be most acutely felt by the occupants of No. 35, where long lengths of the common boundary will change from garden to hard-surfacing. But No. 35 has a long garden itself, and there remains sufficient space within the plot to accommodate the access road and it is not considered nine dwellings would result in a substantial number of sustained vehicle movements or uncharacteristic uses at unsocial hours. Officers remain of the view that the residential amenity to No. 35 would not be significantly harmed in any way which would justify refusal.

(v) Transport and parking

7.27 There are no objections to this planning application from the Highway Authority. The development would necessitate a widening of the access, moving a lamp-post, adjusting the parking zone, and removal of rights to parking permits, all of which could be controlled by conditions or obligations. The parking level shown is suitable for the intended development and location. However, the Highway Authority's approval is dependent on the development securing a Traffic Regulation Order (TRO) which would be needed to remove part of the residents parking area in order to provide the access into the site. There is generous space available on site for required cycle/bin stores and the application includes potentially suitable arrangements for such.

(vi) Affordable Housing

7.28 The applicant has provided an affordable housing viability statement which indicates that the development cannot sustain a contribution towards affordable housing. The Council's Valuer has independently verified this position and therefore it would be unreasonable for the Local Planning Authority to insist upon affordable housing as part of this development.

(vii) Other matters

Sustainability

7.29 Such residential development could reasonably be expected to demonstrate a degree of inherent sustainability through compliance with up-to-date energy efficiency and Building Regulations standards. There is no requirement for on-site energy generation for this scale of development. Officers are content that the Council's sustainability policies can be achieved via condition.

Bats

7.30 The Council's ecologist is content with the conclusions of the bat survey and does not raise issue with the development, providing that ecological enhancements are provided, which would be secured via condition to comply with Policy CS36.

SuDS

7.31 Given the size of the site, adequate sustainable drainage is able to be secured by condition in order to ensure implementation.

Noise impacts

7.32 The site is within the Air Quality Management Area and railway land abuts the western (far) end of the garden. RBC Environmental Protection is satisfied that noise/vibration and air quality reports have been undertaken to suitable standards and that the development would be acceptable, subject to conditions on ventilation and window specifications. Other environmental conditions would be required in respect of the construction phase, were a permission to be considered.

Archaeology

7.33 Berkshire Archaeology advises that there are no archaeological issues with this application. Given that the proposals are located partially over the current building footprint, which has a basement, the remaining area of new impact is considered small scale.

Equality Act

7.34 In determining this application, the Committee is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. 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.

8. CONCLUSION

8.1 In responding directly to the previous appeal dismissal, this revised scheme has been reduced to 9 dwellings and has undergone a number of design improvements.

8.2 As this revised proposal is now below the Policy DM5 threshold of 10 dwellings, the dwelling the proposed mix of 1 and 2 bedroom units is now acceptable. Furthermore, the type of units (flats) are considered an appropriate form of accommodation in this particular location, ensuring compliance with Policy CS15 of the Core Strategy, thereby satisfactorily overcoming Reason for Refusal 1.

8.3 Whilst Officers accept the scheme will result in the loss of a 'non-designated heritage asset', the revised design of the replacement building is now considered to largely mitigate this loss of the existing building. When carefully applying the 'balanced judgement' required by paragraph 197 of the NPPF and weighing the building's loss against those identified 'public benefits', the improved design of the replacement, the addition of 8 sustainably located dwellings which meet an identified need along with the inherent improvements in the buildings overall sustainability, are considered to sufficiently outweigh the harm caused by the building's loss. The scheme is therefore compliant with the NPPF and Policy CS33 of the Core Strategy, and is considered to adequately overcome Reason for Refusal 2.

8.4 Finally, the scheme now provides for satisfactory amenity of future occupiers in accordance Policy DM4 (Safeguarding Amenity), thereby overcoming Reason for Refusal 3, and no longer requires a S106 to secure an Employment Skills Plan as required by Reason 4.

8.5 In light of the above and with due regard to all matters raised, the replacement building and overall planning merits of this development are now considered to outweigh the identified harm caused through loss of the existing building. Accordingly, Officers are of the view that the proposal is acceptable, and on-balance, recommend that this application be approved subject to conditions and necessary planning obligations.

Case Officer: Brian Conlon

9. Plans and Documents

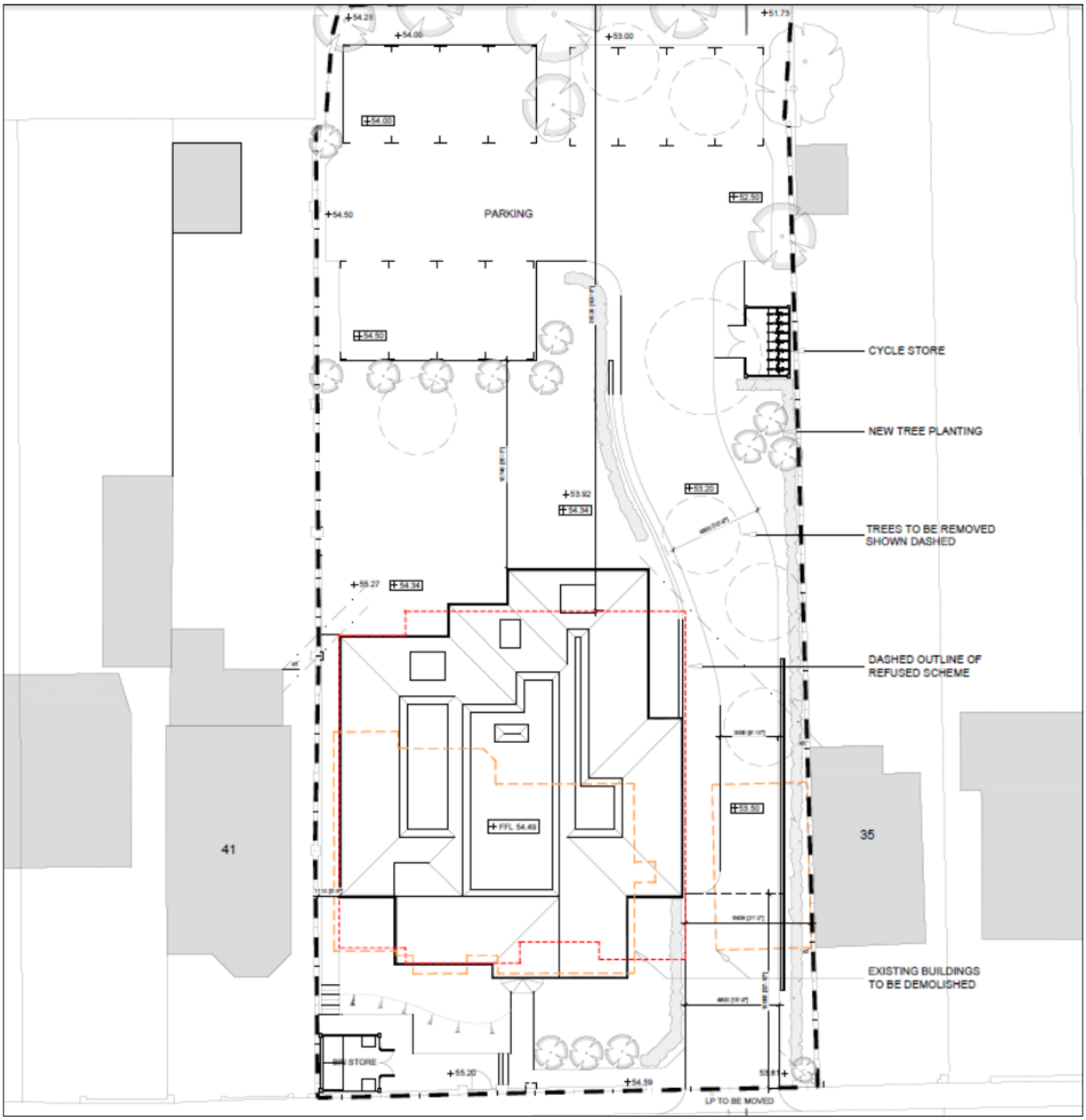


Fig 4: Site Layout Plan (Not to scale)

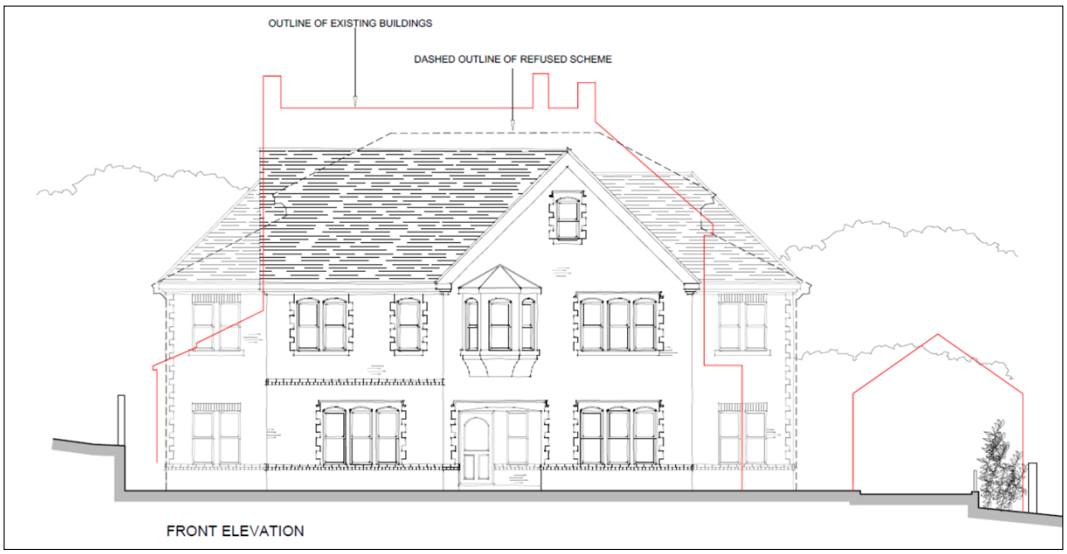


Fig 5: Front elevation proposed (Not to scale)

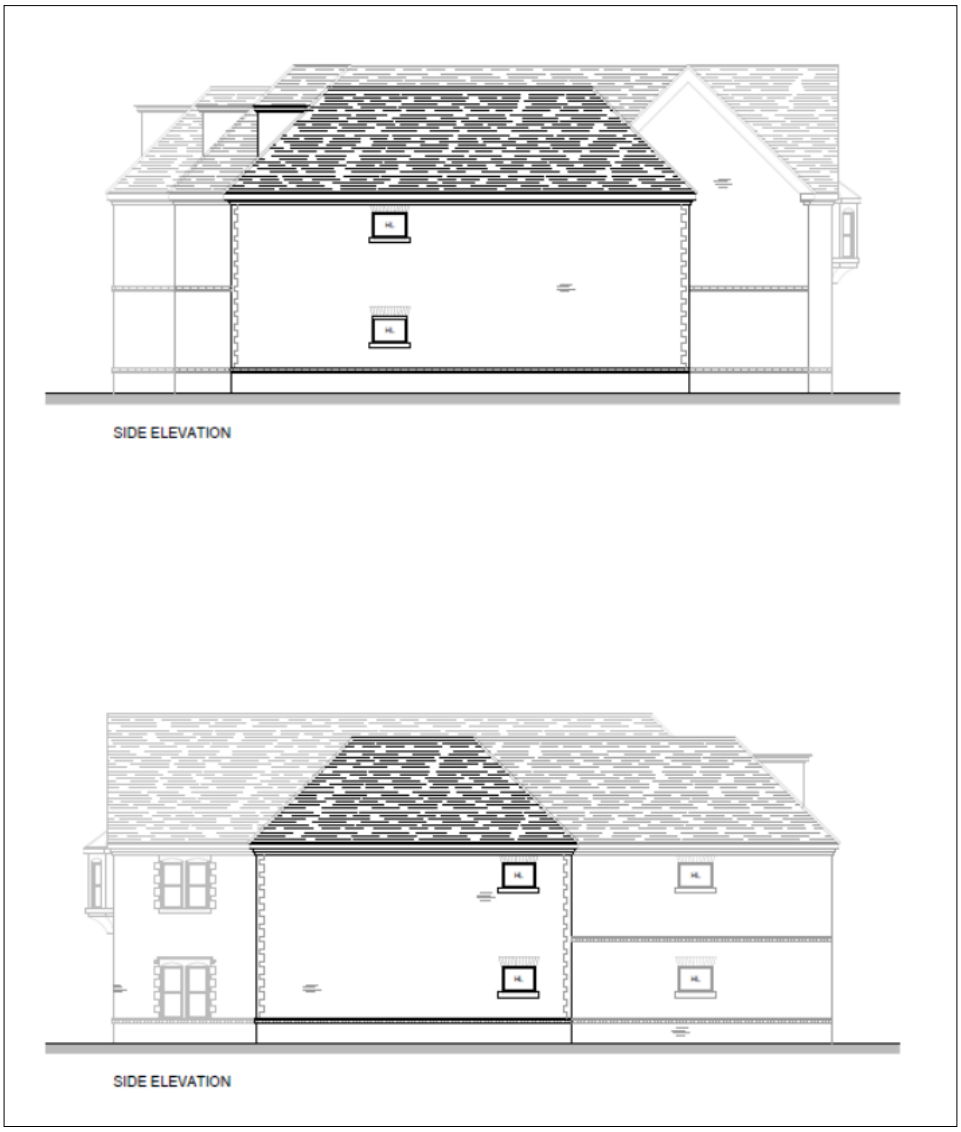


Fig 6: Front elevation proposed (Not to scale)

Fig 7: Aerial view (Google maps 2019)