

## UPDATE REPORT

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

ITEM NO. 10

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

Agreed determination date: 6 Sept 2019

### RECOMMENDATION:

GRANT, as per 17<sup>th</sup> July 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. INTRODUCTION

1.1 The original recommendation made to PAC on the 17<sup>th</sup> July 2019 has been updated to reflect the changes reported in the previous update paper dated 17<sup>th</sup> July and includes the following updates.

## 2. Consultations

2.1 Consultation responses have again been received from Reading Conservation Area Advisory Committee and Reading Civic Society which were reported in the previous update paper. A copy of these comments are again included below:

Reading Conservation Area Advisory Committee 15<sup>th</sup> July 2019

“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 (15<sup>th</sup> July 2019)**

“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**

2.2 2 Additional letters of representation have been received from 3 and 33 Brunswick Hill. The content of these letters are included below:

- 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.

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

### **3. Affordable Housing**

- 3.1 Further to paragraph 7.28 of the original PAC report and as reported in the 17<sup>th</sup> July Update Paper, 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.
- 3.3 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.
- 3.4 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.
- 3.5 In order to incorporate the above matters in any legal agreement, the officer recommendation is amended and an additional condition (Condition 19) is attached as per the original update paper (See below):

#### **43. Additional condition**

As per 17<sup>th</sup> July 2019 Update Paper insert condition 19:

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**