

COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 9th October 2019

Ward: CHU

Application No: 190681/REG3

Address: Land to rear of 67 Foxhays Road, Reading, RG2 8NA

Proposal: Erection of single storey building comprising 1 (1x2 bed) Bungalow unit (Class C3) with associated bin and cycle storage, and a two- storey maisonette comprising 2 (2 x 2 bed) residential units (Class C3) with landscaping and associated works

Applicant: Reading Borough Council

Date Valid: 10/05/2019

Application target decision date: Originally 05/07/19 but an extension of time has been agreed until 31/10/2019

RECOMMENDATION

Delegate to Head of Planning, Development and Regulatory Services to (i) GRANT full planning permission subject to completion of a unilateral undertaking legal agreement or (ii) to REFUSE permission should the legal agreement not be completed by the 31st October 2019 (unless the assessing officer on behalf of the Head of Planning, Development and Regulatory Services agrees to a later date for completion of the legal agreement). The legal agreement to secure the following:

- ***3x residential units as social rent affordable housing units in perpetuity***

And the following conditions to include:

1. Time Limit - 3 years
2. Approved plans
3. Pre-commencement - details (samples and manufacturer details) of all external materials (including brickwork, tiles, glazing, window frames/cills/surrounds, doors, guttering and downpipes)
4. Pre-commencement - construction method statement (including noise & dust)
5. Pre-commencement - arboriculture method statement, and implementation
6. Pre-occupation - implementation bin storage facility details
7. Pre-occupation - implementation of cycle parking details provided
8. Pre-occupation - implementation of vehicle parking
9. Pre-commencement - hard and soft landscaping details (including manoeuvring areas)
10. Pre-commencement contaminated land - site characterisation
11. Pre-commencement contaminated land - submission of remediation scheme
12. Pre-construction contaminated land - implementation of approved remediation
13. Contaminated land - reporting of unexpected contamination
14. Prior to occupation - biodiversity enhancements
15. Implementation of approved hard and soft landscaping details
16. Landscaping maintenance for five years
17. Obscure glazing
18. No burning of waste on site
19. Construction hours (0800 - 1800 Mon-Fri; 0900-1300 Sat; Not at all on Sunday or public holidays)
21. Energy/carbon reduction: 19% Improvement on Building Regulations standard

Informatives:

1. Terms and conditions
2. Highway works
3. Pre-commencement conditions
4. Building Regulations
5. Encroachment
6. No burning of waste on site
7. CIL
8. Unilateral Undertaking Legal Agreement
9. Positive and Proactive

1. INTRODUCTION

- 1 The application site comprises a plot of land located to the rear of No.67 Foxhays Road, on the north west side of Foxhays Road. The site is a former car garaging block, with concrete hardstanding, and is generally flat with some tree screening and fencing to its boundaries.
 - 1.1 The site is enclosed by rear gardens of properties on Foxhays Road, Exwick Square and Hartland Road. The access to the site is between nos. 67 and 69 Foxhays Road and the area is largely characterised by semi-detached dwellings.
 - 1.2 The proposals are being considered at Planning Applications Committee by virtue of being a Council's own (Regulation 3) application. The site in relation to the wider urban area is shown below, together with a site photograph and aerial view.

Site Location Plan (application site edged in red)



Aerial View



2. PROPOSALS

- 2.1 Full planning permission is sought for the erection of one single storey building comprising 1x2 bed unit with associated bin and cycle storage and a two storey maisonette building comprising 2x2 units with landscaping and associated works.
- 2.2 Reading Borough Council is the landowner and applicant in this instance, with this being one of a series of sites being brought forward to deliver affordable housing in the Borough. Supporting info includes:

Location and Block Plan 300
Received 26th April 2019

Site Sections AA, BB & CC A 304 C
Illustrative Site Plan 301 D
Plot 3 - Proposed Floor Plans and Elevations 303 D
Plot 1 - Proposed Floor Plans and Elevations 302 E
Received 24th July 2019

Design and Access Statement
Received 26th April 2019

- 2.3 In relation to the community infrastructure levy, the applicant has duly completed a CIL liability form with the submission. As per the CIL charging schedule this proposal will attract a charge of £37,504.72 (£253 x the 2019 CIL rate for residential developments). However, the CIL form suggests that the applicant will be seeking social housing relief, which would result in the CIL charge being £0.

3. PLANNING HISTORY

171863/PREAPP - advice sought for the erection of 1 x bungalow and pair of semi-detached two-storey dwellings following demolition of existing garages

4. CONSULTATIONS

i) RBC Transport

4.1 No objection objections subject to the following conditions:

- Pre-commencement construction method statement
- Pre-occupation implementation of bin storage
- Pre-occupation implementation of cycle parking details provided
- Pre-occupation implementation of vehicle parking

ii) RBC Environmental Health - Environmental Protection (EP)

4.2 No objection subject to conditions in respect of contaminated land. Standard construction hours and details of noise/dust reduction measures should be secured via condition and an informative stating that there should be no burning of waste on the site.

iii) Natural environment (trees)

4.4 No objection subject to conditions.

iv) Natural environment (ecology)

4.5 No objection subject to condition.

v) Public consultation

4.6 Notification letters were sent to nearby occupiers on 14th May 2019 expiring on 4th June 2019.

Two letters of representation received concerned with:

- Use of driveway for heavy good vehicles
- Building work disruption
- Potential for future works

5. LEGAL AND PLANNING POLICY CONTEXT

5.1 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 application has been assessed against the following policies:

5.2 National

National Planning Policy Framework (2019)

National Planning Policy Guidance (2014 onwards)

5.3 RBC Local Development Framework - Core Strategy (2008) (Altered 2015)

CS1 Sustainable Construction and Design

CS2 Waste Minimisation

CS7 Design and the Public Realm

CS9 Infrastructure, Services, Resources and Amenities

CS14 Provision of housing

CS15 Location, Accessibility, Density and Housing Mix

- CS24 Car / Cycle Parking
- CS34 Pollution and Water Resources
- CS36 Biodiversity and Geology
- CS38 Trees, Hedges and Woodlands

5.4 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
- DM12 Access, Traffic and Highway Related Matters
- DM18 Tree Planting

5.5 Reading Borough Council Supplementary Planning Documents

- Affordable Housing SPD (2013)
- Revised Parking Standards and Design SPD (2011)
- Revised SPD on Planning Obligations under Section 106 (2015)
- Sustainable Design and Construction SPD (2011)

The New Reading Borough Local Plan is at an advanced stage. The Inspector's report into the Proposed Modifications has now been received and the new local plan is proposed to be adopted by the Council on 4 November 2019. The following policies are of relevance to this application:

Reading Borough Submission Draft Local Plan 2018

- CC1: Presumption in Favour of Sustainable Development
- CC2: Sustainable Design and Construction
- CC3: Adaptation to Climate Change
- CC4: Decentralised Energy
- CC5: Waste Minimisation and Storage
- CC6: Accessibility and the Intensity of Development
- CC7: Design and the Public Realm
- CC8: Safeguarding Amenity
- H1: Provision of Housing
- H2: Density and Mix
- H3: Affordable Housing
- H5: Standards for New Housing
- H10: Private and Communal Outdoor Space
- H11: Development of Private Residential Gardens
- TR1: Achieving the Transport Strategy
- TR3: Access, Traffic and Highway-Related Matters
- TR5: Car and Cycle Parking and Electric Vehicle Charging
- EN12: Biodiversity and the Green Network
- EN14: Trees, Hedges and Woodland
- EN15: Air Quality
- EN16: Pollution and Water Resources
- EN17: Noise Generating Equipment

5.6 Other relevant documentation

- DCLG Technical housing standards - nationally described space standard (2015)

6. APPRAISAL

6.1 The main issues are considered to be:

- i) Principle of development and land use considerations, including provision of affordable housing
 - ii) Design considerations
 - iii) Quality of accommodation for future occupiers
 - iv) Residential amenity for nearby occupiers
 - v) Transport
 - vi) Trees, landscaping and ecology
 - vii) Other matters
- i) **Principle of Development and land use considerations, including provision of affordable housing**

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”. The NPPF definition of ‘previously developed land’ is taken to include the land which was occupied by a permanent structure... and associated fixed surface infrastructure. As such, the development site is considered previously development land.

6.3 The existing garages are not considered to be of any particular architectural merit. Indeed, they are in a somewhat run down state and, rather than being used for the parking of vehicles, are predominantly used for storage. The garages, bar one, are in RBC ownership. The one garage in private ownership is shown to be retained and with access available to it. Within this context, there is no in-principle objection to the demolition of the garages in design terms (or loss of parking), subject to the replacement buildings being appropriate in all other aspects (which is detailed further below). Set within this context and by virtue of the site not being allocated / specifically constrained in terms of land uses, the proposal to introduce four residential units would comply with the principles of Policy CS14. This is by contributing to the housing needs within the borough.

6.4 Furthermore, the applicant has stated that the units proposed would all be socially - rented affordable housing units. As such, the 100% on-site provision of affordable housing is strongly welcomed as a key planning benefit of the proposal. The proposals exceed the Policy DM6 requirement, where financial contributions to affordable housing scheme elsewhere in the borough are secured on 1-4 unit schemes. All units would be secured via unilateral undertaking legal agreement to be socially-rented affordable housing units in perpetuity.

6.5 With regards to the mix of the units proposed, the scheme seeks to create 2x2 bedroom and 1x2 bedroom units, which is considered a suitable and appropriate mix in this area, which is strongly characterised by single family dwellings. The mix has been proposed in conjunction with advice from RBC Housing officers, who advise that the greatest present need for affordable accommodation is for 2-bed units. The proposal, set within the context of the size and nature of the site, therefore seeks to assist meeting the greatest housing needs in the Borough.

6.6 This area is predominantly residential in character and the indicative density range in accordance with Policy CS15 is 35-55 dwellings per hectare. The proposed density would be 34 dwellings per hectare so marginally below the indicative range. Given that the proposal is backland development with existing residential amenities it is considered that whilst not fully meeting the indicative density

range this is justified in this instance and would still make effective use of brownfield land.

ii) **Design Considerations**

- 6.4 The proposal site has no frontage on to Foxhays Road meaning that any proposal for the site would not be readily visible in the street scene. This does not, however, preclude the development from needing to respect and respond to the character and appearance of the locality. The surrounding area largely comprises two storey semi-detached dwellings, many of which have been extended. It is acknowledged that the proposal would not fully align with the general character of the area in terms of built form, pattern of development and amenity space, due to the siting of the buildings to the rear of properties along Foxhays Road. This type of development is defined as ‘tandem development’ and DM11 seeks to ensure that proposals do not lead to ‘unacceptable tandem development’. There is no specific description of what constitutes ‘unacceptable tandem development; it is generally taken to be where existing and future residents will have poor amenity from disturbance or overlooking via the tandem arrangement.
- 6.5 In this specific instance, given the proximity of residential properties on three sides of the site, the positioning of the buildings is appropriately set away from these properties as far as possible. They would not be overly excessive in scale (as discussed below) and would allow for some amenity space, parking spaces, access and landscaping, whilst also not resulting in a cramped appearance. As such, this tandem development, in this location, is not considered to make the scheme unacceptable and there would be insufficient harm to justify refusal on this basis.
- 6.7 Further to the above, the proposed single storey bungalow unit would, given its depth, cover a large extent of its plot. However, given its single storey nature, this would minimise its impact and thereby downplaying any visual concerns.
- 6.8 In terms of detailed design, the proposals would be of a fairly simple design, which whilst not fully reflective of the surrounding area, would not be unduly conspicuous given their location. Further to advice from your officers, revised plans have been received and the proposed two storey building has been reduced in overall scale, with a more regular footprint and a lower height to minimise its impact from neighbouring properties. It is noted that the design of this building is very similar to the recently approved development at 72 Wentworth Avenue, another of the Council’s affordable housing projects (190704). The overall height would be reflective of the surrounding properties; indeed they would be subordinate in form to the surrounding houses. The proposal would be constructed out of materials to match those of the surrounding properties and the buildings, overall, would be as modest as possible given the location and existing context of neighbouring properties. As noted above the proposals would not be readily visible from the wider street scene and officers advised that there would not be unacceptable harm to the character and appearance of the surrounding area. As such, in respect of both the buildings themselves and the nearby context, the proposal is considered satisfactory in design terms.
- 6.9 Notwithstanding the above, the success of the scheme from a design perspective will to an extent be dependent on the quality and finished appearance of the exact materials. As such, it is considered necessary to secure a condition for samples of all facing materials to be submitted / approved prior to the commencement of works. With this condition secured the proposals are considered to comply with Policy CS7.

iii) **Quality of accommodation for future occupiers**

- 6.10 In respect of the proposed two storey building, all rooms would be regular in size and shape, providing suitable access to outlook, natural day/sunlight and ventilation. The internal space standards and room layouts for the proposed units considered appropriate and meet the National Technical Housing Standards. The ground floor units will be dual aspect and conveniently located shared cycle and waste storage facilities are incorporated within the scheme.
- 6.11 In respect of the proposed single storey building, the proposed rooms are considered acceptable in size, providing suitable outlook, natural day/sunlight and ventilation. As above, the unit would be dual aspect with its own dedicated cycle and waste storage facilities.
- 6.12 The proposals have designed so as to not cause significantly harmful overlooking between different units within the proposed scheme, or be harmfully overlooked from existing nearby properties.
- 6.13 It is acknowledged that the amenity space would be limited and would not be in keeping with the prevailing character of the area in this respect. Whilst the majority of dwellings to the north have similar sized plots and garden areas, the dwellings to the south area more varied and indeed area smaller. The site is in a sustainable location and the proposed amenity space is considered to be of a suitable size within the context of the site and access to nearby public recreation facilities.
- 6.14 In overall terms it is considered that the proposals would provide a suitable standard of accommodation for future occupiers in compliance with Policy DM4.

iv) **Amenity for nearby occupiers**

- 6.15 No windows are proposed on the flank elevations of the bungalow and as such there would be no material loss of privacy to any neighbouring property. Although the building would be located close to the rear boundaries of No.65 and 67 Foxhays and No.162 Hartland Road, its single storey nature, with roof hipped away from the boundaries, would help to minimise its impact. At a distance of 12m and 19m to those neighbouring dwellings themselves, it is not considered that there would be any significant material loss of light or overbearing impact to the occupiers of these properties, or detriment to the enjoyment of their gardens.
- 6.16 The first floor windows on the flank elevation of the two storey building would serve the landing/stairwells and as such could be conditioned to be obscurely glazed and maintained in that way so as to prevent any material loss of privacy. The natural topography of the site allows the building to sit down within its surroundings slightly. Given this, and the distance of at least 17m to the rear of the surrounding properties, combined with the orientation of the building within its plot (roof hipped away from the boundaries), it is not considered to result in any material loss of light or overbearing impact to the occupiers of any of the surrounding properties.
- 6.17 Furthermore in relation to all nearby occupiers in the area, amenity during the implementation of the permission will be secured via the construction method statement measures, as secured via pre-commencement condition. In overall terms the proposals are therefore considered to comply with policy DM4 and relevant elements of policy CS34.

v) **Transport**

- 6.8 The site is located within Zone 3, Secondary Core Area, of the Council's adopted Parking Standards and Design SPD. Typically these areas are within 400m of a Reading Buses high frequency 'Premier Route', which provides high quality bus routes to and from Reading town centre and other local centre facilities.

In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide a parking provision of 1.5 parking spaces per dwelling. Parking spaces would need to be 2.4m x 4.8m (minimum) with a 6m forecourt depth. The plans submitted indicate 5x off-road parking spaces on an area of permeable hard standing which therefore complies with the Council's current SPD and is therefore considered to be acceptable.

- 6.19 The proposed development site is accessed via an existing dropped crossing from Foxhays Road. To be able to facilitate vehicles entering and exiting the site, the access point would need to be 4.1 m wide. Plans illustrate that the existing access does not conform to the Council's current standards; however this is considered to be acceptable in this instance given that the number of trips generated by the proposed development will be fewer than those for the original use (garages). As stated above, the garages to be demolished, bar one in private ownership to be retained, are in RBC ownership and there is no concern from a transport/parking perspective (acknowledging existing park to the front of, and for, nearby properties) over the loss. Therefore there would be no detrimental change or impact due to the proposed development.
- 6.20 The proposed access does not provide a footway leading to the properties; however as the number of movements to the site will be less than the original use, the Highway Authority advises that a shared surface approach is acceptable.
- 6.22 Bin storage and cycle parking can be provided in suitable storage facilities, but this can be covered by condition.
- 6.23 The proposal would accord with Policies DM12, CS20 and CS24.

vi) **Trees, Landscaping and Ecology**

- 6.24 There are a number of poor specimen conifers planted around the boundary which overhang the site. The Tree Officer has confirmed that these trees are of no particular arboricultural merit. Notwithstanding, they do screen the site for the surrounding neighbours and offer some wildlife habitat value. As such, officers consider that for reasons of retention of residential amenity, it would be appropriate to ensure that the necessary steps are taken to maintain the health and stability of the boundary trees. An Arboricultural Method Statement will be required to deal with tree protection and required ground works within their rooting areas and this can be secured by way of a suitably worded condition. As per the plans submitted, the proposed garage block is to be removed. Considering the type of structure, the Ecologist considers it unlikely to be suitable for use by roosting bats. The site is considered to be of limited ecological value and the proposals are unlikely to adversely affect protected species or priority habitats. However, in accordance with para 175 of the NPPF, which states that "*opportunities to incorporate biodiversity in and around developments should be encouraged*" a condition is recommended to ensure that enhancements for wildlife are provided within the new development. No objection subject to condition.
- 6.25 It is considered that landscaping would improve the ecology of the site, with greater levels of greening through improved landscaping and other measures intended to benefit wildlife. To achieve this, a quality landscape scheme to

include native/naturalised species will be required. Biodiversity enhancements could include small mammal (e.g. hedgehog) holes around the boundary and garden fences to allow animals to continue to move between gardens.

- 6.27 Given the above, and subject to conditions to secure a landscaping scheme of native planting and on-site biodiversity mitigation/enhancement measures officers are satisfied that the proposals would accord with Policies CS36 and CS38 and DM11.

vii) **Other Matters**

- 6.28 Sustainability - The applicant has not provided any specific information relating to sustainable design and construction. However, it is noted that the proposed elevations do show PV panels to be incorporated in both buildings. Such measures are welcomed and encouraged by officers, mindful of the withdrawal of code for sustainable homes, indicating that the proposals comply with policies CS1 and DM1.

- 6.29 Notwithstanding the above, the recent publishing of the Inspector's report in relation to the emerging local plan (Reading Borough Local Plan 2019), emerging Policy H5 'Housing Standards' requires that all new build housing integrate additional measures for sustainability. In light of this conditions are recommended to ensure the development meets the following requirements:

- Higher water efficiency standards of 110 litres per person per day; and
- A 19% improvement over building regulations energy requirements

Although part of a planning condition, these new requirements will be administered through the Building Regulations.

- 6.29 Environmental Health - The development lies adjacent to a site of an historic engineering works (located to the east of the proposed development) which has the potential to have caused contaminated land and the proposed development is a sensitive land use. In addition the development is in a location wherein cars are likely to have been serviced, as well as on scrubland on which unknown activities such as waste dumping may have taken place. In terms of contaminated land, Environmental Protection colleagues recommend the standard four-stage conditions to ensure that the possible presence of contamination is thoroughly investigated and removed/mitigated if necessary (3 of the conditions are pre-commencement). The proposal is considered to accord with Policy CS34.

- 6.30 Legal Agreement - Given the nature of the land ownership (as specified in the introduction section above) a unilateral undertaking (rather than a Section 106) legal agreement will be drafted. This will secure the units as affordable rented accommodation. It is considered that the obligation would comply with the National Planning Policy Framework in that it would be: i) necessary to make the development acceptable in planning terms, ii) directly related to the development and iii) fairly and reasonably related in scale and kind to the development.

- 6.31 Equality - In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. It is considered that there is no indication or evidence that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular application.

8. CONCLUSION

- 8.1 The proposals are considered to be acceptable within the context of national and local planning policies, as detailed in the appraisal above. As such, full planning permission is recommended for approval, subject to the recommended conditions and completion of the Legal Agreement.

Drawings & documents submitted:

Location and Block Plan 300

Received 26th April 2019

Site Sections AA, BB & CC A 304 C

Illustrative Site Plan 301 D

Plot 3 - Proposed Floor Plans and Elevations 303 D

Plot 1 - Proposed Floor Plans and Elevations 302 E

Received 24th July 2019

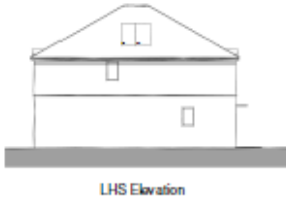
Design and Access Statement

Received 26th April 2019

Case Officer: Ethne Humphreys



Materials:
 Roof: Plain clay tiles to be selected
 Walls: Selected multi stock bricks
 Finishes: Selected casements windows and french doors colour to be confirmed.



Proposed Elevations and Floor Plans



Plot 2
Front Elevation

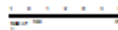
Materials:
Roof: Plain clay tiles to be selected
Walls: Selected multi stock bricks
Fenestration: Selected casement windows and french doors colour to be confirmed.



RHS Elevation



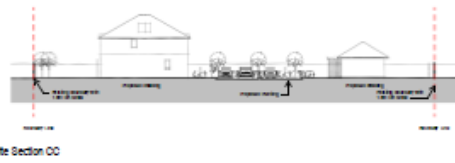
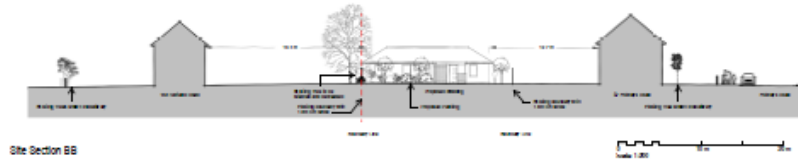
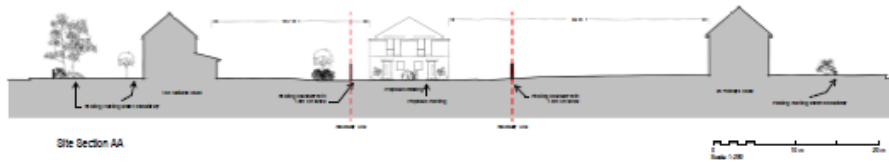
LHS Elevation



Rear Elevation



Proposed Elevations and Floor Plans



Proposed Section Drawings