

## COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 13<sup>th</sup> November 2019

Ward: MIN

Application No: 190702/REG3

Address: Land to rear of 51-65 Wensley Road, Reading, RG2 8NA

Proposal: Erection of two 2 bed dwellings (Class C3)

Applicant: Reading Borough Council

Date Valid: 03/06/2019

Application target decision date: Originally 29/07/19 but an extension of time has been agreed until 30/11/2019

### 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 31<sup>st</sup> November 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:

- ***2 x 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
22. Electric vehicle charging point

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**

- 1.1 The application site comprises a plot of land located to the rear of No's 51-65 Wensley Road, on the southern side of Wensley Road. The site is a former car garaging block, which now comprises hardstanding and grassland. The site is generally flat with some tree screening and fencing to its boundaries.
- 1.2 The site is enclosed by rear gardens of properties on Wensley Road and Tintern Crescent. The access to the site is between Nos. 49 and 51 Wensley Road and the area is largely characterised by rows of terraced dwellings.
- 1.3 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 2 two storeys comprising 2x2 bed unit with associated bin and cycle storage, 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:

Site Location Plan A 600  
Site Plan and Site Section A 601  
Proposed Plans and Elevations A 602  
Received 30<sup>th</sup> April 2019

Design and Access Statement  
Received 22<sup>nd</sup> May 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 £24,904.32 (168 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

171986/PREAPP - advice sought for residential development

#### **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 7<sup>th</sup> June 2019 expiring on 28<sup>th</sup> June 2019.

One letters of representation received concerned with:

- Daily use of rear access - Officer comment: RBC Housing have confirmed that vehicular access will be maintained to the rear of No.58 Tintern Crescent.

#### **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)

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

**5.3 Other relevant documentation**

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

**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. Furthermore, set within this context and by virtue of the site not being allocated / specifically constrained in terms of land uses, the proposal to introduce two residential units would comply with the principles of Policy H1. This is by contributing to the housing needs within the borough.

6.3 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 H3 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.

6.4 With regards to the mix of the units proposed, the scheme seeks to create 2x2 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.

ii) **Design Considerations**

6.5 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 rows of terraced 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 Wensley Road. This type of development is defined as ‘tandem development’ and Policy H11 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.

- 6.6 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 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. The buildings would have a regular footprint and a relatively low height to minimise its impact from neighbouring properties. It is noted that the design is very similar to the recently approved developments at 72 Wentworth Avenue (190704) and land to the rear of 67 Foxhays (190681) two of the Council's affordable housing projects. 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.
- 6.8 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**
- 6.9 The internal layout of the proposed units would be regular in size and shape, providing suitable access to outlook, natural day/sunlight and ventilation. Furthermore, the internal space standards and room layouts for the proposed units considered appropriate and meet the National Technical Housing Standards and Policy H5. The units will be dual aspect and conveniently located shared cycle and waste storage facilities are incorporated within the scheme.
- 6.10 There is high level boundary tree screening from neighbouring properties which is to be retained and this, combined with the levels difference between the site and the dwellings to the north (51-65 Wensley Road), helps to minimise any impact from these properties in respect of overlooking.
- 6.11 It is acknowledged that the amenity space would not be in keeping with the prevailing character of the area in this respect. However, whilst the majority of

dwellings to the north and south have similar sized plots and garden areas, the dwellings to the east are more varied and indeed are 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.

6.12 In overall terms it is considered that the proposals would provide a suitable standard of accommodation for future occupiers in compliance with Policy CC8.

iv) **Amenity for nearby occupiers**

6.13 Given the distance of the proposed building from neighbouring properties to the east and south, it is not considered there would be any significant material loss of privacy or overbearing impact to the occupiers of these properties. Although the building would be located close to the rear boundaries of No's 51-65 Wensley Road, the roof would be hipped away to minimise the impact and, as above, there is tree screening and a levels difference (with the site lower than these neighbouring properties). This, alongside a distance of 12m to these 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.

6.14 The first floor windows on the flank elevations 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. As above, the natural topography of the site allows the buildings to sit down within their surroundings slightly. This, combined with the side-to-back relationship between the proposed dwelling and the terrace of 51-65 Wensley Road, minimises the impact of overlooking.

6.15 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 CC8 and relevant elements of policy EN16.

v) **Transport**

6.16 The site is located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. This zone directly surrounds the Central Core Area and extends to walking distances of 2 kilometres from the centre of Reading.

In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide a parking provision of 1 space per unit. Parking spaces would need to be a minimum 2.4m x 4.8m with a 6m forecourt depth. The proposed plans show 4 off road parking spaces on an area of permeable hard standing which exceeds the Councils current SPD and is acceptable. In addition to this, the submitted site plan appears to show 3 visitor parking spaces.

- 6.17 The proposed development site is accessed via a dropped crossing from Wensley Road; to be able to facilitate vehicles entering and exiting the site, the access point would need to be 4.1 m wide. Whilst, the plans illustrate that the existing access does not conform to the Councils current standards, this is considered acceptable in this instance, given the number of trips generated by the proposed development will be fewer than those for the original use (garages). Therefore there would be no detrimental change or impact as a result of the proposed development.
- 6.18 DfT Guidance Manual for Streets states at point 6.8.3 that for cul-de-sacs longer than 20m a turning area should be provided to cater for vehicles that will regularly need to enter the street. Whilst the site plan illustrates a turning area for vehicles, tracking diagrams will need to be submitted illustrating a supermarket delivery vehicle entering and turning to exit the site. It is considered this can be dealt with by way of condition.
- 6.19 Bin storage and cycle parking can be provided in suitable storage facilities, but this can be covered by condition.
- 6.20 The proposal would accord with Policies TR3, TR4 and TR5.

vi) **Trees, Landscaping and Ecology**

- 6.21 There are a couple of significant trees on site, including a Sycamore and a large 'Tree of Heaven' adjacent to the site which will be rooting within the site. Both trees are healthy and visible as a backdrop to houses in the surrounding area with potential for future growth as well as offering significant amenity value. As such, these trees should be retained and protected as is currently proposed and welcomed. In this respect, the larger 'Tree of Heaven' is likely to only cast shade over the parking area which is acceptable. Furthermore, the proposed dwellings and their rear gardens would be set back from the Sycamore and on the far side of the access drive, the position of which will help prevent the tree from appearing too overbearing from the gardens.
- 6.22 Given the above, 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.
- 6.23 The Council's Ecologist considers the site to be of limited ecological value (given that the grassland is short cut and the trees and hedgerow will be retained) 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.

6.24 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.

6.25 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 EN12 and EN14.

vii) **Other Matters**

6.26 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.

6.27 Notwithstanding the above, 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 secured by planning condition, these new requirements will be administered through the Building Regulations. Confirmation of compliance will need to be submitted to the LPA to discharge the condition.

6.28 Environmental Health - The previous land use has the potential to have caused contaminated land and the proposed development is a sensitive land use. 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 EN16.

6.29 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.

6.30 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.

## **7. CONCLUSION**

- 7.1 The proposals are considered to be generally acceptable within the context of national and local planning policies, as detailed in the appraisal above. Any remaining negative effects in terms of the character of the area and residential amenity are minor and are outweighed by the social benefits of the affordable housing. As such, full planning permission is recommended for approval, subject to the recommended conditions and completion of the Legal Agreement.

### **Drawings & documents submitted:**

Site Location Plan A 600

Site Plan and Site Section A 601

Proposed Plans and Elevations A 602

Received 30<sup>th</sup> April 2019

Design and Access Statement

Received 22<sup>nd</sup> May 2019

**Case Officer:** Ethne Humphreys

# Proposal Plans

## Proposed Site Plan

