

DELEGATED PLANNING APPLICATION REPORT

Ward: Battle

App Ref: 230415/FUL

Address: 474 Oxford Road, Reading, RG30 1EF

Proposals: Change of use of the ground floor of 474 Oxford Road from Class E (formerly Class A1 - shops) to Class C3 (Residential) and external changes to the front elevation to create x2 two bedroom ground floor flats.

Case Officer: Nathalie Weekes

Date received (valid from): 14 June 2023

Extended Target Decision date: 31 January 2024

1. SITE DESCRIPTION

The site fronts the Oxford Road and comprises a new development with residential units at first floor level with previously permitted retail units on the ground floor. The land was formerly associated with number 470-478 Oxford Road a warehouse building, on an irregularly shaped plot. The ground floor of the site is currently unoccupied, construction work is unfinished for the retail units which have been available to let.

It is sited between two Victorian 2-storey terraced houses. An area of hardstanding exists to the front of the site with a drop kerb along the Oxford Road frontage.

The site is located within the Oxford Road West District Centre and the Oxford Road frontage forms part of the 'Key Frontage' within that centre. It is in an air quality management area and on contaminated land on the site of an old tool depot.

Site visit date: 25/07/2023

Site visit photos:



2. PROPOSAL AND SUPPORTING INFORMATION

Full planning permission is sought to convert the allocated ground floor retail units into x2 two bedroom C3 flats. Change of use of the ground floor of 474 Oxford Road from Class E (formerly Class A1 - shops) to Class C3 (Residential) with external changes to the front elevation. The Flats will have bays at the front to replicate the surrounding terraced housing, with boundary fencing and vegetation proposed to soften the appearance of the development, with cycle and bin storage. Each flat would have its own private entrance. The existing large opening at ground floor level will be filled up with the insertion of bay windows and doors. Detailing on the face brickwork of the brick wall is proposed to match the existing building.

The kerb to the front of the existing units will be reinstated.

No parking spaces are proposed, the proposed car free development site has good public transport links into Reading and the surrounding area. The flats will front onto the Oxford Road, no garden amenity is proposed.

The proposals have been amended during the course of the application, on the advice of officers, to provide greater architectural detailing and consistency in the size and appearance of windows on the front elevations.

An affordable housing contribution has been agreed with the RBC valuations team and the application is subject to a S106 agreement.

Information submitted with the application:

Drawings

OXR474:002 Ground floor plan existing

OXR474:004 Existing elevation - front

OXR474:001 Block and location plans

~~OXR474:003 Ground floor plan proposed~~

~~OXR474:005 Proposed elevation~~

As received 30 March 2023

~~OXR474:007 Cycle store~~

~~OXR474:003 Ground floor plan proposed Rev P2~~

As received 14 June 2023

OXR474:003 Ground floor plan proposed Rev P4

~~OXR474:005 Rev P2 Proposed elevation~~

As received 4 October 2023

OXR474:005 Rev P3 Proposed elevation

OXR474:007 Rev P1 Cycle store

As received 23 October 2023

Documents

2891 Application letter, Bell Cornwell, 23 March 2023

Viability appraisal, Prestige property Ltd, 10 March 2022

3591-R2-470-478 Oxford Road, Background Noise Assessment, Clover Acoustics, 17/11/2016

R01 Air quality statement, Mouchel, 19/10/2016

CIL

As received 30 March 2023

3. RELEVANT PLANNING HISTORY

212083 Discharge of condition 11 (contaminant remediation) of planning permission 162355/FUL Discharged 27/04/2022

190610 Discharge of conditions 3, 4, 5, 6, 7 and 8 of application 162355 Discharged 30/04/2020

162355 - Demolition of an existing retail unit, ancillary warehouse and residential unit and the erection of a retail unit (Class A1) and nine new residential flats (Class C3) with associated parking, amenity space and landscaping (amended description). Permitted 20 December 2018 (Application 162355 has been part implemented, in that although the ground floor retail units have been created to a shell, they have not been completed and the shopfronts never inserted. The units have been available to let, to be completed subject to any new business specifications).

160270 - Demolition of existing retail/warehouse unit and one residential unit. Erection of 13 new residential flats with associated parking, amenity space and landscaping. Observations sent.

4. CONSULTATIONS

A site notice was displayed at the site for the statutory 21 day consultation period. The following addresses were consulted by letter.

1a Chester Street, Caversham, Reading, RG4 8JH
1b Chester Street, Caversham, Reading, RG4 8JH
2 Chester Street, Caversham, Reading, RG4 8JH
468 Oxford Road, Reading, RG30 1EF
480 Oxford Road, Reading, RG30 1EF
474 Oxford Road, Reading, RG30 1EF

No letters of representation have been received.

RBC Environmental Protection

The noise assessment submitted is from 2016 which is quite a long time ago, and the local environment is likely to have changed since then with either changes in traffic flows or other changes to surrounding commercial noise sources. In addition, the construction of the building is different to that which the other noise assessment was based on. Therefore, whilst the previous noise assessment can be used to help inform this development, an updated assessment will need to be provided.

It will be assessed against the recommendations for internal noise levels within dwellings and external noise levels within gardens / balconies in accordance with BS 8233:2014 and WHO guidelines for Community Noise. The report should identify any mitigation measures that are necessary to ensure that the recommended standard is met.

The noise assessment data should also include noise events (L_AMax) and the design should aim to prevent noise levels from noise events exceeding 45dB within bedrooms at night, as this is linked with sleep disturbance.

Internal noise criteria (taken from BS8233:2014)

Room	Design criteria	Upper limit
Bedrooms (23:00 to 07:00)	<30dB LAeq,8hour	
Living rooms (07:00 – 23:00)	<35dB LAeq,16hour	
Gardens & Balconies	<50dB LAeq,T	<55dB LAeq,T

A condition is recommended requiring a noise assessment to be submitted prior to the commencement of the development to identify the external noise levels impacting on the proposed site.

The proposed development is also within an air quality management area, identified with monitoring as being a pollution hotspot.

The assessment submitted is from 2016 therefore an updated assessment is required, particularly as the building the previous assessment was based on is different in this proposal and the distance from the roadside to the receptor may be different.

Where the assessment shows that residents will be exposed to harmful levels of pollutants (in excess of national objective levels) the applicant will need to produce a mitigation plan. The mitigation plan must quantify the impact on emissions the proposed mitigation will have, in order to show that future occupants will be protected from the effects of poor air quality.

An air quality assessment condition is recommended.

In addition to a contaminated land condition is recommended based on the previous use of the land at the site as an historic tool hire yard. The developer is responsible for ensuring that development is safe and suitable for use for the intended purpose or can be made so by remedial action.

An informative is recommended to help prevent complaints during construction and demolition phases regarding noise, smoke and dust.

RBC Transport

The site is fronts onto the A329 Oxford Road which is the main transport corridor between central Reading and the west. The A329 Oxford Road has parking restrictions preventing on-street parking and forms part of the Red Route 'no stopping' corridor. Frequent bus services serve the site every 7-8 minutes Mon-Fri and Saturday daytimes and every 15-20 minutes evenings & Sundays.

The proposal consists of the change of use of the ground floor to create 2 x 2 bedroom units. In accordance with the Council's current Parking Standards and Design SPD each 2 bedroom unit should be provided with 1 parking space each. Information submitted states that no parking provision is to be provided for the new units. The Council's residential parking permit scheme operates in the surrounding streets and there is extensive parking restrictions along Oxford Road controlling and preventing unauthorised parking.

Under the Borough's current parking standards, this proposal would generate additional pressure for parking in the area, therefore if this application is approved there should be an assumption that any future occupants of the proposed units will not be issued with resident or visitor parking permits which will be covered by condition and an informative applied. This will

ensure that the development does not harm the existing amenities of the neighboring residential properties by adding to the already high level of on street car parking in the area. Given the restriction in place preventing unauthorised on street parking a **car free development can be considered in this instance.**

Cycle storage and bin storage areas should be adjacent to the highway allowing for kerbside collection. Bin storage areas should be contained within a suitable enclosure to prevent nuisance from the spread of waste, odour or noise.

RBC Waste – The RBC waste team required that each flat would need to have space for – 1 x 140L general waste bin, 1 x 240L recycling bin and 1 x 23L food waste bin. Further clarification was sought as to whether the gate in the brick wall is wide enough for the bins to fit through.

RBC Natural Environment

Tree planting would be desirable on the frontage where possible because Oxford Road is a priority location for street tree planting. It is also within an area of less than 10% tree canopy cover and therefore a priority location for tree retention and planting.

RBC Valuations team

Following discussions, an acceptable affordable housing contribution of £15,000 was agreed in respect of the proposed development.

Communications with the agent

Additional information was provided, a S106 agreement was completed and pre-commencement conditions were agreed.

Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

5. LEGAL AND PLANNING POLICY CONTEXT

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 local and national planning policy and guidance is relevant to this application:

National Policy and Guidance

National Planning Policy Framework

National Planning Practice Guidance

National Design Guide

Reading Borough Local Plan (2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CC2: SUSTAINABLE DESIGN AND CONSTRUCTION

CC5: WASTE MINIMISATION AND STORAGE

CC6: ACCESSIBILITY AND THE INTENSITY OF DEVELOPMENT

CC7: DESIGN AND THE PUBLIC REALM

CC8: SAFEGUARDING AMENITY

EN14: TREES, HEDGES AND WOODLAND
EN15: AIR QUALITY
EN16: POLLUTION AND WATER RESOURCES
H1: PROVISION OF HOUSING
H2: DENSITY AND MIX
H3: AFFORDABLE HOUSING
H5 STANDARDS FOR NEW HOUSING
TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS
TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING
RL1: NETWORK AND HIERACHY OF CENTRES
RL3: VITALITY AND VIABILITY OF SMALLER CENTRES

SPG/SPD

Affordable Housing (2021)
Planning Obligations under Section 106 SPD (2015)
Revised Parking Standards and Design (2011)
Sustainable Design and Construction (2019)

APPRAISAL

Change of use from Class E retail to C3 residential

The site is located within a key frontage as identified on the Local Plan Proposals Map. Policy RL3 seeks to protect the vitality and viability of smaller centres such as Oxford Road West and to retain 50% of the units in A1 or A2 use. Unless it can clearly be demonstrated that 'centre uses' are not appropriate or except only in exceptional circumstances there should be no net loss of 'centre uses' such as Class E retail use at the ground floor for 'non retail uses' such as C3 residential. The proposal is therefore considered to be contrary to policy RL3.

The applicant has provided evidence that, due to the current economic environment, it has not been possible to lease/rent the retail units since they were originally built. There is a retail unit on the corner of Chester Street and the Oxford Road, however the neighbouring property at 468 Oxford Road has been converted to residential accommodation at ground floor level. The other side of 474 on the northern side of the Oxford Road is a row of terraced housing.

Opposite the site on the southern side of the Oxford Road are a row of units all of which are in Class E or sui generis use at ground floor level, in a key active frontage, which currently contain a number of empty units, whereas 474 Oxford Road is surrounded on both sides by existing residential accommodation. The visual impact of the loss of the two retail units is reduced as the site is surrounded by residential accommodation rather than sited within an established parade of shop units. The proposed 2 bed flats would also contribute towards the character and mix of uses and residential development in the area in which they are located.

The applicant has argued that greater weight should be given to having the building occupied and converted to residential use rather than being left as empty and unfinished, as it has not been possible for the applicant to let the retail units in the current economic market.

In this instance the proposal does not comply with Policy RL3. The overall impact of the development should be considered to assess whether the benefits of the proposed change of use would outweigh the conflict with Policy RL3. The proposal will be assessed to examine whether it results in a detrimental impact in other areas of consideration, remains in keeping with the appearance and character of the area in which it is located and can overcome any detrimental impact to future occupants or neighbouring amenity, before a decision as to whether the loss of 2 retail units to the vitality and key frontage of Oxford Road West would be acceptable as a matter of planning balance.

Character and appearance

Revised plans have improved the visual appearance of the proposed ground floor flats that reflect the distinctive character of the existing row of terraced housing fronting the Oxford Road, with the bays at the front and brick wall boundary treatments. The ground floor design replicates the rhythm of windows generally characteristic of the adjacent row of Victorian buildings.

It is a welcome improvement over the existing vacant units that have not been able to be let to a retail tenant. The construction of the existing units has not been completed fully. The proposed design is sufficiently well-designed to be acceptable within its context.

Materials are proposed to match for the conversion of the ground floor, however due to the prominence of the site within the public realm and need for the proposed materials to match the existing building, a pre-commencement condition for the submission of material specifications is recommended.

A small landscaping scheme for the front of the ground floor flats will further soften the appearance of the development and change of use of the site, within the public realm by adding some vegetation such as a small grass area with plants in the front gardens. The area for planting at the site is restricted by the area available at the front of the site however, it is a priority site for planting as there is a low level of tree canopy and planting along the Oxford Road.

For these reasons it is considered that the proposal would preserve the character of the area in accordance with policies CC7 and EN14.

Neighbouring amenity

The amenity of neighbouring residents is not considered to be detrimentally impacted as the development is set back from the road frontage, with landscaping and would not result in overlooking or harm to outlook and Policy CC8 is satisfied.

Amenity of future occupiers

The proposal will provide sufficient daylight and sunlight to each of the habitable rooms and meet the national space standards in Policy H5. The rear second bedroom for the G2 unit will have access to natural light but not an ideal outlook, due to a wall located to the rear of the flat. Bedrooms on the frontage are set back from the road, and will be protected from overlooking and to a certain extent, traffic noise. Overall, the accommodation is considered acceptable.

Conditions requiring a noise and air quality assessments are recommended to include suitable mitigation and measures for improved ventilation as the site is located on a busy road, with high levels of pollution in the vicinity.

An informative is also recommended to minimise disturbance of future residential accommodation for the flats to be constructed so as to achieve the insulation requirements set out in Building Regulations Approved Document E.

Subject to the controls discussed above, the proposals are considered to comply with policies CC8, H5 and EN16.

Transport

Detailed Transport comments are set out in Section 4 above. Conditions requiring provision of the parking areas and bin and bicycle stores are recommended.

It is relevant to note, when considering the parking impacts of the proposal, that the Council has control over on-street parking in the surrounding area. It is recommended that awareness of

these parking controls should be facilitated through the suggested parking permit conditions and informative.

The kerb should be reinstated as a condition of development to reduce levels of risk to pedestrians on the public highway. The open frontage could encourage inappropriate parking and car manoeuvring across the pavement, turning or result in cars that would obstruct the red route and flow of traffic along the Oxford Road.

There are no transport objections to this proposal subject to the recommended conditions being applied.

Contaminated Land

Previous land contamination assessments for the site have been completed with reference to a business use at the ground floor level. Although the building has been nearly completed, the change to residential use at the ground floor may introduce different risks for future inhabitants. As such, a condition requiring an updated assessment of any potential impact from land contamination following conversion of the ground floor to residential use is required and to secure appropriate remediation are recommended in accordance with the findings of the initial assessment submitted with the application and on the advice of the Council's Environmental Protection Team.

The proposals are considered to comply with Policy EN16 on this basis

Landscaping

A landscaping condition is recommended to soften the impact of the development, with front gardens to be created, containing grass areas and plants suitable for the limited space available. The site is in a priority location for a small landscape planting scheme as there is a low level of tree canopy and planting along the Oxford Road.

Affordable housing

Policy H3 seeks a financial contribution that will enable 10% of the housing to be provided as affordable housing elsewhere in the borough. Where proposals fall short of the policy target as a result of viability considerations an open book approach is taken with the onus on the developer/landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution. One of the biggest issues that Reading faces is ensuring that there is sufficient access to decent and affordable housing to meet needs. Policy H3 requirements have been found to be viable, and therefore the default position is that there should not usually be a need for contributions at lower than the policy requires.

A viability report was originally submitted proposing a zero contribution for the development. Following discussion with the valuations team and the agent regarding the requirement for additional viability assessment information, the applicant proposed an affordable housing contribution of £15,000 which on consideration of local property prices and a risk assessment of the development proposed, was accepted by the RBC Valuations team. In this instance the affordable housing contribution falls very slightly below the expectations of Policy H3 and the Affordable Housing SPD, however having reviewed the viability of the development and the associated costs required by going through a full open-book viability assessment to both sides, it has been agreed in this instance that the agreed amount is acceptable to successfully mitigate the impact of the scheme on the housing market in the Borough.

S106 and CIL

The Community Infrastructure Levy would apply to the proposals, subject to the usual reliefs or exemptions set out in the CIL Regulations. A S106 agreement has been completed.

Other issues

Cycle parking and Bin storage

Due to site constraints, the transport and waste policies would require cycle parking and bin storage to be sited in front of the building. The case officer's view is that, in this instance the cycle storage provision could be relaxed and not provided as the site has access to good public transport links which reduces the need for on-site cycle storage. This would reduce the amount of development to the front of the site and improve its appearance within the public realm.

Bins should be made available at the front of the site for waste collections and removed from the highway after collection. The agent has confirmed that the bins will fit through the front entrance gates at the development.

Pre-Commencement Conditions

All pre-commencement conditions were agreed with the agent in accordance with Section 100ZA (5) of The Town and Country Planning Act 1990.

Conclusion

The proposed change of use from Class E retail to C3 is contrary to Policy RL3 (which seeks to retain the vitality and viability of retail frontages), however when the proposed design and impact on the area is considered together with the fact that the property is surrounded on either side by residential accommodation, the provision of new residential accommodation is considered to offset the loss of the 2 retail units on the northern side of the Oxford Road. The proposed architectural features will integrate with the character of the area. The row of shops on the southern side of Oxford Road will continue to provide a key frontage to ensure the continued vitality of the Oxford Road West district Centre, which currently has vacant units available to let. The proposal is only considered acceptable in this instance, when weighing up the planning balance of the benefits of the development, subject to recommended conditions.

RECOMMENDATION

Approve

Subject to the following conditions:

Timescale

Plans

Materials

Noise

Air Quality

CMS

Contamination

Landscaping

Parking permit 1/2

Sustainability

Kerb reinstated

Pre-commencement