

DELEGATED PLANNING APPLICATION REPORT

Ward: Park

App Ref: 230251/FUL

Address: 117 Cumberland Road, Reading, RG1 3JY

Proposals: Convert office premises of Class E to C3, one dwellinghouse.

Case Officer: Joel Grist

Date received (valid from): 28 February 2023

Extended target Decision date: 23 June 2023

1. SITE DESCRIPTION

Site visit date: 19/04/2023

Site visit photos:



The Site is located on the south-west side of Cumberland Road and comprises a 2 storey semi-detached building. The building have a traditional red brick appearance and is situated in a predominantly residential area which comprises 2 storey dwellings of similar scale and style with the majority of dwellings forming rows of terraces. A primary school is located northwards along Cumberland Road.

Aerial imagery of the site indicates it was recently overgrown with a mature tree in the rear garden however it was noted at the site visit that all vegetation on site had been cleared and building materials had been placed on site with internal works on the building being undertaken.

2. PROPOSAL AND SUPPORTING INFORMATION

The application seeks permission to change the use of the premises to 1no. dwelling (use class C3). While the applicant has described the existing use as Class E office space, it is considered the lawful use of the building is to be as a Class F2 community use. The existing dropped kerb access will be retained with vehicle and cycle parking provided on site. A garden area will be located to the rear. The dwelling is proposed to include 2 bedrooms, living room and kitchen.

Plans considered

PL-01

PL-03
PL-04
PL-05
PL-06
PL-07
PL-08
PL-09
PL-10
PL-12

Christos and Son letter dated 14/03/2023

3. RELEVANT PLANNING HISTORY

880159: ERECTION OF COMMUNITY HOUSE SIGN. Granted 21/12/1988

890703: Renewal of temporary permission for use of premises for community purposes and the siting of a fun bus. Regulation 5 (for a period of 3 years). Granted 22/12/1989

920124: To vary planning conditions 2 and 3 of planning application 89/1272/RG to permit evening and weekend use of 117 Cumberland Rd for community purposes. Granted 26/06/1992

940081: Temporary use for community office and meeting space. Granted 31/03/1995.

991634: Use as community office and meeting space. Granted 13/10/1999.

221872: Change of use from Class E (offices) to C3 (dwelling houses) to comprise 1 dwelling. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Withdrawn - 20/02/2023

4. CONSULTATIONS

RBC Transport Development - No comment received

RBC Natural Environment, Trees - Request for submission of indicative landscaping plan, inclusion of condition

RBC Waste - No comment received

The following addresses were consulted by letter.

4 Avon Place, Reading, RG1 3LA
11 Avon Place, Reading, Berkshire, RG1 3LA
150 Cumberland Road, Reading, Berkshire, RG1 3JY
113 Cumberland Road, Reading, Berkshire, RG1 3JY
12 Avon Place, Reading, Berkshire, RG1 3LA
10 Avon Place, Reading, Berkshire, RG1 3LA
119 Cumberland Road, Reading, Berkshire, RG1 3JY
1 Avon Place, Reading, Berkshire, RG1 3LA
150 Cumberland Road, Reading, RG1 3JY
148 Cumberland Road, Reading

0 letters of representation have been received.

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

Reading Borough Local Plan (2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
CC2: SUSTAINABLE DESIGN AND CONSTRUCTION
CC5: WASTE MINIMISATION AND STORAGE
CC8: SAFEGUARDING AMENITY
EN12: BIODIVERSITY AND THE GREEN NETWORK
EN14: TREES, HEDGES AND WOODLAND
H1: PROVISION OF HOUSING
H2: DENSITY AND MIX
H3: AFFORDABLE HOUSING
H5: STANDARDS FOR NEW HOUSING
H10: PRIVATE AND COMMUNAL OUTDOOR SPACE
TR1: ACHIEVING THE TRANSPORT STRATEGY
TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS
TR4: CYCLE ROUTES AND FACILITIES
TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING
OU1: NEW AND EXISTING COMMUNITY FACILITIES

SPG/SPD

Affordable Housing (2021)
Revised Parking Standards and Design (2011)
Planning Obligations Under S106 (2015)

Equality Act 2010:

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APPRAISAL

Principle of Development

Paragraph 93(c) of the NPPF seeks to guard against the unnecessary loss of valued facilities and services. This is supported by Policy OU1 which states proposals involving the redevelopment of existing community facilities for non-community uses will not be permitted, unless it can be clearly demonstrated that there is no longer a need to retain that facility. This consideration has to be weighed against the aims of Chapter 5 of the NPPF which seeks to deliver a sufficient supply of homes alongside the substantial weight afforded by Paragraph 120(c) of the NPPF to the value of using brownfield land within settlements for homes. These policies are supported at the local level by Policy H1 which sets out the need for the required provision of housing in Reading across the Local Plan period.

The applicant has submitted a statement which sets out why they consider there is no longer a need to retain the community facility. This is summarised below:

- Declining usage: Lack of regular engagement and participation with the community service provider choosing to relocate to a modernised facility in Slough in March 2018.
- Alternative services: There are other nearby venues offering similar programs or activities including The Warehouse at 1a Cumberland Rd, Sun Street Youth and Community Centre at Sun Street and the Samaritans of Reading at 59a Cholmeley Road.
- Financial considerations: The facility had become financial unsustainable or required significant investments to meet regulatory standards or community expectations.

Google Street View imagery of the site shows the building boarded up on June 2018 and the consultation response from the Council's Business Rates team under the withdrawn application 221872 also confirms the building has been empty since March 2018. The building is located in a predominantly residential area and having been originally constructed as a dwelling, its design is considered to limit the potential for prospective community uses in the future. The Sun Street Community Centre is located only some 85m to the south of the site and there are a number of further community spaces in close vicinity of the site such that the loss of the community use on the application site is not considered to be materially harmful to the ongoing provision of community services in the local area. Given the previous use of the building as a dwelling and the minimal benefits identified in retaining the community use, the benefits from the provision of a new dwelling through the re-use of brownfield land is considered to outweigh the limited harm from loss of the community facility and the principle of development is considered acceptable, in compliance with Policy OU1.

Residential Amenity

The proposed dwelling will comprise 2 bedrooms which meet the minimum national space standards for double bedrooms. The dwelling will have an internal floor area of approximately 91.8sqm and therefore complies with space standards for a 2 bedroom, 4 person 2 storey dwelling. The dwelling will include a large rear garden area which provides ample outdoor space for a 2 bedroom dwelling and the imposition of a landscaping condition will ensure this space is made suitable for use from its current condition.

There is 1 clear glazed window located at second floor level in the side elevation of the neighbouring No. 113. The planning history for this dwelling has been reviewed and the window is not shown on any plans relating to approved development at this site however it is considered this window serves a hallway/stairway area of the dwelling. The proposed dwelling has 5 clear glazed windows in the side elevation at ground and first floor level that face towards this neighbouring window. There would likely be some loss of privacy between the 2 dwellings however the relationship between the windows is skewed with the neighbouring window being at second floor level. Furthermore, 4 of the windows in the

application dwelling are all secondary windows where future occupiers will be able to use internal measures such as curtains or blinds to obscure views and still maintain an acceptable minimum level of outlook and daylight to these rooms. The fifth window serves the first floor hallway and not a habitable room such that it would be up to future occupiers to choose whether to obscure this window. The neighbouring window is not considered to serve a habitable room and is therefore not considered to result in a significantly harmful loss of privacy. It is also a material consideration that no objection has been received from this neighbour. This window is positioned near the front of the site such that views of the rear garden area will be offset and the application dwelling benefits from a large and deep garden such that any overlooking of the external amenity space is considered minimal and not significantly harmful. Therefore, the existing occupiers of No. 113 and the future occupiers of the application dwelling will retain an acceptable standard of residential amenity.

Given the minor nature of works involved with the change of use application, it is not considered necessary to impose a condition to seek details of a construction method statement; however, given the presence of a large amount of building materials on site, it is necessary to impose conditions preventing the burning of waste on site to protect the amenity of surrounding dwellings and also a condition requiring the removal of all building materials prior to occupation of the dwelling to protect the amenity of future occupiers of the site. Overall, the development will therefore protect the amenity of all adjoining neighbours and provide an acceptable standard of amenity for future occupiers of the dwelling, in compliance with Policies CC8, H5 and H10.

Green Infrastructure and Biodiversity

Aerial imagery shows the site having recently been overgrown and containing a mature tree in the rear garden. The site visit showed that all vegetation has since been removed and building materials had been situated in the rear garden area. While not protected by a TPO, the loss of the mature tree and vegetation detracts from the scheme and it is considered necessary to secure suitable replacement planting, including habitat enhancements, in order to mitigate the complete loss of planting on site and to improve the green infrastructure network and levels of biodiversity within the Borough. Comments from the Council's Natural Environment team requested the submission of an indicative plan showing the soft landscaping areas on the site; however, as these have been entirely removed, this is not considered necessary to request from the applicant. The Natural Environment team recommended detailed landscaping information to be secured through condition and this has been imposed as well as a condition to secure biodiversity enhancements. Subject to these conditions, the development is considered to comply with Policies EN12 and EN14.

Transport

No comments from RBC Transport were received; however, comments were received in respect of application 221872 which proposed the same development (under the prior approval process) and no objections were raised subject to a number of conditions relating to vehicle parking and parking permits. These conditions are again considered necessary and reasonable in order to not prejudice the safety of the local highway. A further condition to secure the cycle storage as proposed has been imposed to provide a sustainable alternative to private car travel. Therefore, the development is considered to comply with Policies TR1 and TR3-TR5.

Affordable Housing

In accordance with Policy H3 (Affordable Housing) the proposed development, being for one net additional residential unit, would be liable for an off-site affordable housing contribution.

Two independent valuations of the proposed development have been submitted and based on these, a policy compliant contribution of £12,250 has been proposed by the applicant. A signed Section 106 agreement has been submitted and proposes payment of the contribution prior to occupation of the dwelling. The agreement has been reviewed by the Council's legal team and deemed acceptable. Therefore, the proposal will provide policy compliant affordable housing contribution in line with Policy H3 and the Affordable Housing SPD 2021.

Other matters

Conditions to secure energy and water efficiency measures has been imposed to comply with the requirements of Policy CC2 in achieving sustainable design and construction.

Conclusion

The benefits of providing an additional home through the use of a brownfield site is considered to outweigh the limited harm of losing the community facility therefore the principle of development is accepted. The dwelling will provide an acceptable standard of amenity for its future occupiers and will protect neighbouring amenity. The removal of the existing vegetation weighs against the proposal however this can be mitigated against through suitable conditions. The scheme is acceptable in highways terms and a policy compliant affordable housing financial contribution has been agreed therefore the development complies with the relevant policies of the Reading Borough Local Plan 2019.

RECOMMENDATION

Approve

Subject to the following conditions:

1. The development hereby permitted shall begin no later than three years from the date of this planning permission.

REASON: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

Drawing No:

Received 01/03/2023: PL-01; PL-03; PL-04; PL-05; PL-06; PL-07; PL-08; PL-09; PL-10; PL-12; Christos and Son letter dated 14/03/2023

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

3. The development hereby permitted shall not be occupied until written verification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings hereby permitted have achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate as defined in The Building Regulations for England Approved Document L1a: Conservation of Fuel and Power in New Dwellings (2013 edition), and built to the higher water efficiency standard under

Regulation 36(3). Such evidence shall be in the form of an 'As Built' Standard Assessment Procedure (SAP), produced by an accredited energy assessor.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 and H5 of the Reading Borough Local Plan 2019.

4. Prior to first occupation/use of the building hereby approved, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall specify means of treatment for hard surfaced areas, means of enclosure including mammal gaps where appropriate, specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees and tree pit specifications where appropriate, and must include a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting. Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s) or in accordance with a timetable agreed in writing with the Local Planning Authority. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

REASON: In the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

5. Prior to first occupation of the dwelling, details of a habitat enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority.

The scheme is to include a programme for implementation and ongoing maintenance. The habitat enhancement scheme shall thereafter be implemented and adhered to in accordance with agreed programme.

REASON: In order to avoid harm to habitats and species whilst securing biodiversity enhancement in the long term. This accords with Paragraph 175 of the NPPF (2019), Policy EN12 of the Reading Borough Local Plan 2019, the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017.

6. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.

REASON: In the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

7. The dwelling(s)/building(s) hereby permitted shall not be occupied until all vehicle parking space(s) have been provided in accordance with the plans hereby approved. The space(s) shall be kept available for parking at all times thereafter.

REASON: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

8. No dwelling/building hereby permitted shall be occupied until the bicycle parking facility for that dwelling/building has been provided in accordance with the plans hereby approved. The facility shall be kept available for bicycle parking at all times thereafter.

REASON: To encourage travel by sustainable alternatives to driving a motorcar in accordance with Policy TR1 and TR5 of the Reading local Plan 2019.

9. No residential unit hereby approved shall be occupied until the Local Planning Authority has been notified in writing of the full postal address of the unit(s) hereby approved. The notification shall be sent to the Local Planning Authority quoting the application reference specified on this Notice.

REASON: In order that the Council can update its records to ensure that parking permits are not automatically issued to the occupiers of the new residential units hereby approved, and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

10. Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential unit(s) hereby approved, the prospective occupier/transferee shall be informed that there is no automatic entitlement to a car parking permit for any existing residential parking permit schemes and future schemes on adjacent and surrounding streets. All material used for advertising or marketing the residential unit(s) for letting or sale shall make it clear to prospective tenants and occupiers that they will not be automatically entitled to a parking permit, but any application for a parking permit will be considered on its merits.

REASON: In order that the prospective occupiers are made aware of the fact that while they can submit an application they will not be automatically entitled to an on-street car parking permit. In the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area Policy TR3 and TR5 of the Reading Local Plan 2019.

11. Prior to the first occupation of the dwelling, all construction waste and material shall be removed from the site.

Reason: In order to provide an acceptable standard of external amenity space for future occupiers of the dwelling and to comply with Policies CC8 and H10 of the Reading Borough Local Plan 2019.

INFORMATIVES

1. The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target or agreed extended timescale for the decision to be issued.
2. i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.
ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.
3. A section 106 Agreement has been completed for this development. A copy of the S106 Legal Agreement is available on the Council's Public Register of Planning.
4. The Council introduced the Community Infrastructure Levy (CIL) on 1st April 2015. CIL is a way of securing financial contributions towards infrastructure from new development, and partially replaces the Section 106 planning obligation regime. It is a set charge per sq m of floorspace for different uses, and, unlike Section 106, it is non- negotiable. It applies to developments which result in at least one dwelling; where the space has not been in lawful use for 6 months within the last 3 years or 100 sq m of new floorspace. For this approved development the CIL status is (Officer - INSERT IF NIL CHARGE/CHARGEABLE/NOT APPLICABLE). If chargeable you will be sent a CIL Liability Notice with the calculated amount soon. CIL becomes payable on commencement of the development or by instalments.
For more information go to:
http://www.reading.gov.uk/media/2791/Community-Infrastructure-Levy-Advice-to-Applicants/pdf/CIL_Advice_to_Applicants.pdf
5. The occupiers of the residential unit(s) will not be automatically entitled to an on-street car parking permit. Current and new occupiers should be informed of this and be advised to find out more about parking permits on the Council's website. There is already a high level of on street car parking in the area and the site is located close to local facilities, with frequent public transport services on nearby roads.