

## **Delegated Officer Report**

**Application ref. 191506/OUT/RE**

**Address: 28 Southampton Street, Reading**

**Proposed development of 7 mixed 1 bed flats and 1 bed studio apartments (accepted description)**

**(Description as proposed to be amended by LPA but not agreed/confirmed by applicant is:** Outline planning application (to consider all matters except for Landscaping) to redevelop the site for a three storey building to provide 6x 1-bedroom flats.

[Latest email from the applicant 28/6/23 states that they want the latest plans considered, says it is up to the LPA to change the description-which the applicant has to agree to and has not.]

**Case officer: Richard Eatough**

**Date of this report: 27 June 2023**

### **Site description**

The application site is a vacant, gently sloping site (highest in the SE, lowest in the NW) which the application form describes as 169 sqm in area. This site has been measured on site as having a 12m wide frontage. The LPA GIS system scales as a site of circa 12m frontage and 17m depth, making 204 sqm.

The application site lies on the lower (northern) section of Southampton Street, part of the 'IDR' (Inner Distribution Road) in central Reading. This road is one-way and three lanes wide at this point, flowing south-north and is Classified as the A327.

The site is currently used to display advertisements, consisting of one large advert hoarding. This sits back from the road frontage on a fence. The land to the front and rear of the site is untended, some rough grass is present on the site frontage and there were some self-seeded saplings behind the fence. These appear to have recently been removed.

To the immediate north (west) is a Listed Building, no. 26-28 Southampton Street, for many years in use as a commercial estate agent's offices, but with planning permission for a residential conversion. Although much altered, it is relatively unusual in the town, given the extent of wood frame which is retained and evident. Currently, the implementation and use of this building is unclear, however: it appears that this property may very recently be in unauthorised use as serviced apartments. To the south (east) was until recently a vacant pub, The Red Lion, which has been demolished to make way for a residential flatted redevelopment, which is under construction. That site is currently hoarded. To the west lies St. Giles Court, which until 8 years or so ago was offices, more recently converted to residential under a prior approval planning permission and it appears to be in use as such.

Opposite, on the east side of the IDR, lies the southwestern edge of the Market Place/London Street Conservation area, including the Listed Church of St. Giles. The site also lies within an Area of Archaeological Potential (Policy EN2), within the Air Quality Management Area (Policy EN15). The A327 is a Classified Road (Policy TR3). The site is within the Reading Central Area, as defined on the Local Plan Proposals Map.

A site visit was conducted 21/4/22 by RE. Below is the Google Streetview image from May 2019 with the former Red Lion pub present to the left. Due to circumstances in relation to the LPA's handling of the application and related investigations, it has only now been possible to produce a recommendation for this application.



Site visit photo 5/6/23, showing application site now being taken over by the construction compound for the Red Lion site. On the advice of officers, this construction compound has now been reduced back to the correct hoarding line.



## Proposal

The description of development which has been accepted and consulted upon reads as, "Proposed development of 7 mixed 1 bed flats and 1 bed studio apartments". The application has been submitted as an Outline planning permission with the application form confirming approval is being sought for Access, Appearance, Layout and Scale, ie; the only Matter reserved for subsequent approval is Landscaping. The description of development is therefore misleading. The LPA's alternative description (Outline planning application (to consider all matters except for Landscaping) to redevelop the site for a three storey building to provide 6x 1-bedroom flats) is therefore considered to be more accurate and will be used as a guide in framing this delegated report. It should also be noted that the amended plans have not overcome officer objections in terms of massing and bulk, nor have these later plans been assessed by the Council's Valuer to determine if they were suitable in terms of affordable housing.

## Consultation responses

### Internal consultations (summarised)

**RBC Environmental Protection** -no objections. Phase 1 contaminated land report is suitable, an AQMA air quality assessment has been submitted as part of the application and the air quality is considered suitable, a noise report needed. (*Officer comment, the noise assessment for the adjacent Red Lion site was submitted before a decision was made*).

**RBC Conservation and Urban Design Officer (CUDO)** – consulted on Appearance issues. Has advised that the latest plans are an improvement. Provided further detailed advice to the case officer 25/4/22 (see discussion below).

**RBC Planning Natural Environment Team** – 8/4/22 their response raises concerns with the inability of the Layout to provide any meaningful landscaping, given the limited space available.

**RBC Valuations** response 8/4/22 is that the baseline land value (BLV) is not agreed. Considers that the value of the site is basically that of an advertising hoarding site. Inputs (costs and values) are not agreed. Therefore, viability argument sought by applicant (provision of no affordable housing) is not accepted.

**RBC Ecologist** - no objection, subject to conditions

**RBC Transport Strategy**– no objections providing bin and cycle storage is achievable.

**Berkshire Archaeology** –the submitted archaeological study is considered acceptable.

**sse**-no response received.

**Canal & Rivers Trust**-no response received.

### Public consultation

A site notice, advertising the application and that it would affect the setting of a Listed Building, was issued on 12/11/19 to be displayed at the site.

Letters were also sent to the following addresses:

26, 28 Southampton Street

38 Southampton Street

1, 2a, 3a, 3b, 4 St. Giles Court

2 letters of objection were received (Pegasus Group for Sharps Commercial [former occupiers of 26-28 Southampton St) and MacNiven Quays, developers of the Red Lion site) raising the following issues (in summary):

- Residential use has been permitted at adjacent LB under permission 181908, and is relevant
- Application 191174 for a 2 storey rear extension at the LB is relevant (now permitted)
- Western openings to rear of LB as extended will adversely affect light penetration
- Habitable windows would face north, poor living conditions for the occupants
- Windows to the north, over 4 storeys, would compromise privacy to the LB as extended and its amenity space, this would not be ameliorated by obscure glazing
- Windows to rear of St. Giles Court would suffer overlooking and light loss
- No lay-off to the northern boundary with the LB, will have an overbearing impact on the proposed res properties at the LB and their amenity space
- Design cues appear to be taken from the scale of the development permitted at the Red Lion pub (ref. 181117), rather than the scale of the adjacent LB., with no appreciation of its more modest scale, lower roofline or architectural merit. Contrary to Policy CC7.
- Streetscene drawing misleading in terms of levels and fails to show slope of Southampton Street
- Narrower separation distance north when compared to the south
- Materials would contrast unfavourably
- Due to scale, massing, and materials would be jarring in the streetscene
- Failure to correctly consider the impact on the LB (Heritage Asset) whose setting would be harmed
- There are no shared access rights over the land shown hatched
- Suggests the proposal requires a significant re-working
- Nationally Described Space Standards are not met
- Loss of amenity will be caused to occupiers of planning proposal 181117, which is to be built
- Bin store considered to be inaccessible and therefore unusable
- 26-28 Southampton Street is sectional and steps up the hill, the proposal is not sensitive to this, although is more sensitive to 34-38 Southampton Street. Contrary to Policy EN1.
- Height of proposed building considered to be inaccurate and will in fact be taller than the permission at 34-38 Southampton Street
- Due to proximity to approved permission 181117 at 34-38 Southampton St. (Red Lion site), bedrooms, dining rooms and gardens to that permission are likely to be adversely affected. These windows will be overbearing.
- Functionality of gardens within development as approved under permission 181117 likely to be adversely affected, contrary to Policy H10
- North-facing outlook would be unacceptable and produce a sense of enclosure
- Nearest part of the development would be within 0.5m of the footings of the LB, to the detriment of its fabric, inability to carry out maintenance
- No access to cycle store possible
- Considers the amended plans (received early 2021) to be more detrimental in terms of harm on the setting of the LB

One letter of ‘**support**’ has been received, but this is in fact a rebuttal on behalf of the applicant to respond to the objection issues above.

### Relevant planning history

| Date/ref                  | Event/site                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 141305                    | <b>St. Giles court</b><br>Change of use of building from Class B1(a) (offices) to C3 (dwellinghouses) to comprise 2 x two bed flats.<br>PERMISSION 28/10/14. Implemented                                                                                                                                                                                                                                                                                                                                                                              |
| 181117/FUL                | <b>34-36 Southampton Street, Red Lion PH</b><br>Erection of a basement and 4-storey building to provide 11 (1x studio, 8x1-bed & 2x2-bed) residential units (Class C3) and associated works following the demolition of the existing buildings (basement & 3- storey public house at No’s 34-36 Southampton Street and 2-storey residential building at No. 38).<br>PERMISSION 12/8/2019. (To Committee 6/3/2019)<br>Implemented (under construction)<br><br>Various subsequent applications submitted to discharge the relevant planning conditions. |
| 181908/FUL and 181909/LBC | <b>26-28 Southampton Street</b><br>Change of use from a B1a to residential in the form of 2 x 1-bed and 1 x 2-bed, and associated works.<br>PERMISSION 26/7/2019<br><br>unclear if implemented at 6/6/23 or whether in unauthorised use.                                                                                                                                                                                                                                                                                                              |
| 191174/FUL and 191175/LBC | <b>26-28 Southampton Street</b><br>Erection of two storey rear extension to form additional living area and bedroom<br>PERMISSION 3/7/20 Not implemented at 6/6/23. Looks likely to lapse.                                                                                                                                                                                                                                                                                                                                                            |
| 171273/PREAPP             | <b>Application site</b><br>Pre-application advice for 6 x 2 bedroom flats on land adjacent to 28 Southampton Street<br>OBSERVATIONS SENT 27/9/2017                                                                                                                                                                                                                                                                                                                                                                                                    |
| 190417/OUT                | <b>Application site</b><br>Proposed development of 8 mixed 1 bed flats and 1 bed studio apartments<br>WITHDRAWN 5/7/19                                                                                                                                                                                                                                                                                                                                                                                                                                |

### Relevant planning policy and legislation

NPPF 2021 relevant sections are:

Achieving sustainable development; Delivering a sufficient supply of homes; Making effective use of land; Achieving well-designed places; Conserving and enhancing the natural environment; Conserving and enhancing the historic environment.

Reading Borough Local Plan (2019) (RBLP) policies:

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  
CC9: SECURING INFRASTRUCTURE  
EN1: PROTECTION AND ENHANCEMENT OF THE HISTORIC ENVIRONMENT  
EN2: AREAS OF ARCHAEOLOGICAL SIGNIFICANCE  
EN5: PROTECTION OF SIGNIFICANT VIEWS WITH HERITAGE INTEREST  
EN9: PROVISION OF OPEN SPACE  
EN12: BIODIVERSITY AND THE GREEN NETWORK  
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  
H10: PRIVATE AND COMMUNAL OUTDOOR SPACE  
TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS  
TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING  
CR2: DESIGN IN CENTRAL READING  
CR6 LIVING IN CENTRAL READING

**TCPA 1990 (as amended)**

**LBCA 1990**

SPDs:

Sustainable Design and Construction (2019)

Affordable Housing (2021)

S106 (2015)

Parking Standards and Design (2011)

Other documents – Reading Borough Tree Strategy

**APPRAISAL/ISSUES**

**1. Principle of development for residential**

This is a brownfield site in the urban area of central Reading and subject to other detailed considerations, the principle of a residential use would usually be acceptable. However, as the remainder of the Appraisal below will set out, this site is very restricted and subject to many constraints which, in effect, very severely restrict its suitability for residential development. Housing completion figures for the Borough suggest that there is no over-riding need for residential development that would justify supporting development that was

unsympathetic to the fabric and setting of a Listed Building and unsuitable in design and amenity terms.

### **Impact on Heritage Assets**

Paragraph 194 of the NPPF states when determining applications, Councils should require that an applicant should undertake the following:

*“194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”*

In this context it is considered that the very brief Heritage Statement submitted with the application fails to describe the significance of the proposal in relation to the setting of the neighbouring Grade II Listed Building, Nos. 26-28 Southampton Street. It would appear that the proposed development has not properly considered the special attributes of the Heritage Asset and this has led to the proposal of a development which would harm the setting, and negatively impact on the character of the adjacent listed building and potentially physically too.



The photo above shows the rear of the LB at 26-28 Southampton Street (looking East)

Harm would be caused to its setting through the poor/convoluted massing, scale and materials. Its design would contrast unfavourably with the palette of traditional materials used in the Listed Building. The DAS suggests that the contemporary style (ie referring to the original plans, the DAS has not been updated) seeks to ape that of the adjacent Listed Building but it is hard to see how. Overall, what is needed here is a carefully designed ‘transitional building’, which would fit in design and style terms between the under construction development at the Red Lion site and the smaller more fine grained detail of 26

to 28 Southampton St. The applicant has since provided a more traditional style and in purely streetscene impact terms, this does provide a more harmonious transition.

There are also concerns for the proximity of the application building to the Listed Building which is located on the property boundary. It is of timber frame construction originally from the 17<sup>th</sup>. Century. The timber frame was infilled with brick but latterly a brick skin has also been added to the outside. The CUDO has advised of concerns in a number of respects for the closeness of the proposed structure:

- the proximity is considered to be a fire risk to the Listed Building and this is made worse by window opening(s) in close proximity
- given the age of the building, the foundations are likely to be shallow and extend as a line of transfer at 45 degrees, ie. into the application site itself. There is no discussion in the application of the implications for this either; and
- given the age and construction of the building, it would be prudent to allow suitable space for maintenance of the building which make from time to time involve low level repairs such as careful repointing, but may also need to be more extensive for instance any underpinning. The location of the application building would not be sufficient to allow this.

For the above reasons the CUDO advises that a minimum of one metre would be the usual lay off required. Without this and without any clear justification in the heritage assessment, it is considered that there is a failure to demonstrate that there is no harm to the historic fabric of the heritage asset contrary to the above policies.

A less than significant degree of harm (cf. NPPF wording) is considered to be caused to views into/out of the Conservation Area opposite, given the intervening distance. Whilst there is a protected view (Policy EN5) from Whitley Street towards central Reading, this site/development would not be visible from that viewpoint.

However, due principally to the harm to the setting and potentially the fabric of the adjacent listed building, this should form a reason for refusal of the outline application, due to inappropriate Appearance, Layout and Scale.

### **3. Design and streetscape**

Notwithstanding any other considerations for this application or other adjacent permissions discussed in this report, the proposal itself is considered to be an overdevelopment of the site and a poor design response.

Proposed site coverage would be extensive. The plot ratio is high at over 300 dwellings per hectare. The residential block proposed would be 11m wide. It is not completely clear that the proposal will even fit on the site. There would be only a gap of some 40cm or so to the northern boundary with the Listed Building. There is a small gap shown to the south, as a necessity to allow the access way running through to the rear of the site, and this gap, if it fits, would be suitable (in streetscene terms).

In terms of design, the section above has described why this design is not suitable in terms of impact on the Listed Building, but additionally it is not considered to be a good quality building in its own right. The design source for the layout of this building seems to be the building which would replace the Red Lion to its left, but has failed to acknowledge the smaller size of the site and constraints to propose the scale of the building.

The streetscene drawing ('View from the street') supplied shows the amended (Georgian style) design. This appears much better in streetscene terms as opposed to the original design, which was a rather convoluted version of the proposed building to the left (south).



However, this may be inaccurate and cannot be relied on as it bears the legend, NTS or 'not to scale'. Given Case Law in *Choiceplace Properties Limited v SoS (2021)*, it is clear that streetscenes need to be accurate, they cannot be merely indicative.

Nonetheless it is clear that the scale of the building design appears to have been guided by the Red Lion replacement building and effectively fills the space ~~in~~ between the developments. It is considered that the application proposal would need to be significantly smaller to avoid appearing as an overdevelopment in its context, set between the other two buildings and to be suitable to the more modest scale of the Listed Building. Therefore in terms of matters of Scale and Appearance, the outline application is not suitable.

The site coverage of the application proposal causes concerns in terms of spacing, layout, opportunities for landscaping and servicing. There appears to be a disagreement between the adjacent landowners regarding the access rights over the shared land, but the application has been accepted in good faith, and it is assumed that this area towards the Red Lion site and to the rear can be accessed and 'improved' as part of the development, and there may be an access through to St. Giles Court as well (although if such access rights do in fact exist, these would serve to heighten concerns regarding disturbance and lack of defensible spaces as set out below).

The two landscaped areas proposed are about 10 square metres to the front, which could be landscaped but the indicative tree shown is unlikely to be achievable given that there is a mature tree immediately adjacent to the north which partly overhangs the application site. Also, to the rear a green space approximately 2m deep x 5m wide is shown. This small area would not provide suitable spacing/relief to St. Giles Court. In reality, this space will probably need to be paved as it will be needed to be accessed for the bike store at the end.

In summary, while landscaping is a Reserved Matter, the proposed Layout means that there is no scope for suitable mitigating Landscaping to reasonably be achieved.

The site currently provides a green space with some grass and there were (and may again be) self-seeded trees. Whilst SUDS considerations are not technically relevant to a minor level planning application, it is concerning that the level of building and hardstanding coverage will be so extensive. Ecological concerns could be dealt with by condition(s).

Overall, the design is poor, ambiguous and inappropriate, due to the size of site not large enough for the proposed building footprint and envelope leading to an overdevelopment of the site with no opportunity to provide meaningful landscaping. This should form a reason for refusal.

#### **4. Overbearing, and light/outlook issues to adjacent sites**

The tightness of the proposal within the site, as described elsewhere above, provides unsuitable conditions in terms of maintaining amenities for occupiers of all adjacent sites (north, west and south) and these are well-described in the professional objections received from planning agents on behalf of the owners north and south.

##### *West-St. Giles Court*



The photo above shows the residential outlooks from St. Giles Court. The cleared area in the foreground is the site of the former Red Lion PH, the Heras fencing roughly demarcates the southern edge of the application site. The St. Giles Court block is in residential use and has been since around 2015. There are multiple window openings and some to habitable rooms, which to a certain extent will be affected by the Red Lion site's redevelopment. These windows also current enjoy outlook over the application site and this is an existing established situation. In urban situations such as this, the 20m window-window relationship as set out is frequently not able to be achieved; however, distances of 14-15m are common, where there are angled relationships, perhaps even lower. But these relationships show windows at an angle with only 4m separation distance, which would be detrimental to privacy.

Regarding light levels and overbearing/loss of light, the height and relationship of the application proposal would be oppressive and harmful to the amenities of these properties.

##### *North-26-28 Southampton Street*

This Listed Building has planning and LBC to convert to residential. Further, at the time of writing, it still has an extant permission/LB consent to extend to the rear and this would include a residential amenity space either to the rear of the LB or beyond the building as extended.

Loss of privacy would be caused to the amenity area of 26-28 by the presence of windows to bathrooms proposed on the first and second floors, at a distance of 40cm or so from the boundary. It is not completely clear from the plans what sort of windows are proposed on the northern elevation.

The relationship towards the Listed Building (as discussed above) would be poor and unacceptable in overlooking/privacy terms.

#### *South-Site of former Red Lion PH (34-38 Southampton Street)*

The relevant permission 181117 has habitable room outlooks to the north towards the current application site. The impact on these future dwellings are a material consideration to the assessment of this application, particularly as the development has commenced. Whilst the application proposal proposes no habitable room openings in close proximity to the Red Lion site, its general proximity, bulk and massing will be harmful to the rooms and private amenity spaces on the ground floor of permission 181117. The outlook that permission 181117 has over the shared accessway immediately adjacent means that there will be frequent disturbance due to passing cycles and bins being pushed past, but the outlook directly onto the bin store at the application site is unacceptable, due to odours.

Ground, first and second floor windows to habitable rooms in the north elevation of permission 181117 would be adversely affected by the development, in particular the bedroom windows. This will cause an unacceptable loss of light, harm to outlook and overbearing of these future windows.

For the above reasons, the application proposal would be unacceptably harmful to the three existing/proposed sites adjacent. These matters shall be reflected in reasons for refusal.

### **5. Internal and external amenity**

In general, the internal amenity of the units provided will be very poor and in the case of the ground floor flats, worse still.

#### *Noise and air quality*

Policy CC8 requires suitable amenity to developments in terms of air and noise impacts.

This site is on the IDR, a heavily-trafficked part of the town centre ring road and at certain times of the day, subject to three lanes of queueing traffic from its junction with Pell Street/Crown Street to The Oracle roundabout.

The section below describes each of the flats from the point of view of their general standard of internal amenity.

#### *Internal amenity of each flat*

##### **Ground floor one-bed flat, 37sqm (front flat) (Flat 1)**

Light levels to the main part of the living area should be reasonable, largely to the two front windows but unfortunately do not get any relief from the main road, being set at the back of the pavement on Southampton St. The area shown for dining, though is set a long way back and restricted at this point and is unlikely to receive much light. The living space would probably fare better if the kitchen and dining areas were swapped. The window to the rear in the bedroom directly overlooks the bin store. It is not clear whether this will be an enclosed bin store or not, but these are going to be sizable bins for the whole of the development, directly abutting the window sill. In fact these bins may be up to half the height of the

window, impeding outlook. This would provide an exceptionally poor outlook. Even the shower room window overlooks the bin store. There would also be disturbance from accessing and moving the bins. So whereas there are unlikely to be overlooking issues for this flat and light levels may be suitable, the main issue is likely to be odour from the bins which may be inescapable, internally and particularly unpleasant on warmer days. The immediate nature of passing residents to the rear means no defensible space to the rear windows. At the front, there is no defensible space to the pavement and the passing heavy traffic. So overall, this is unlikely to be a particularly pleasant or private-feeling flat.

#### **Ground floor one-bed flat (rear flat) (Flat 2)**

The amenity of this flat will be very poor indeed. The main living area is likely to be extremely dark as it is a large space served by only one window, (now adjusted to be high-level only) on the north/ northwest elevation which may be up against the extended listed building with perhaps no direct sunlight. Daylight levels will be low, probably below BRE guidelines. The habitable room to the rear is a bedroom, which will feel quite oppressive by being overbored by a combination of the development itself and also the proximity to the rear fence (2m) and then St. Giles Court. Not just the bedroom, but even the bathroom of this flat would suffer in amenity terms given that there is a large window over the bath right next to where people will be manoeuvring their bikes, so even with obscure glazing this will not feel private.

#### **First floor one-bed flat (front) (Flat 3)**

Although less affected by traffic noise and slightly less affected by the odour from the bins than the flat downstairs, the rear bedroom window is likely to suffer from unacceptable overlooking towards windows in St. Giles Court at a distance of circa. 10m, which is unsuitable in terms of privacy. Light levels to the dining area are probably going to be poor.

#### **First floor one-bed flat (rear) (Flat 4)**

The living-dining-kitchen room area in this flat would rely entirely on light coming over the land to the north at 26-28 Southampton St. As with the flat below, light levels to the main living space are likely to be very poor. The bathroom window overlooking the amenity space to 26-28 would provide a presence of residential overlooking and this presence would be unacceptable in terms of privacy to both sites. The outlook from the bedroom window towards habitable rooms at St. Giles Court, although at an angle, is very close indeed and would be a direct relationship at approximately the same height and this would be detrimental to the privacy of the dwellings affected.

#### **Second floor one-bed flat (front) (Flat 5)**

Similar issues to the first floor flat. Light levels towards the dining area would be better.

#### **Second floor one-bed flat (rear) (Flat 6)**

Similar to the first floor flat, although habitable room to habitable room relationships may be lessened due to angles. Light levels to the main living area ought to fare better due to the lessened obstruction, but may still be unacceptable.

In summary on this aspect, the shortcomings above need to be reflected in reasons for refusal (Policy CC8 principally applies). All of the front flats (at least) are going to be more exposed to considerable road noise. A suitable report has not been provided. This is considered to be an unacceptable omission.

## **External Amenity**

The dwelling units would not be provided with any form of private, usable amenity space or balconies. The two 'green' areas which are shown on the site plan comprise of a square of about 10 square metres to the front while to the rear a green space approximately 2m deep x 5m wide is shown. Neither area would function as active amenity space for the occupiers.

### *Unit mix and dwelling sizes*

The application appears to assume that the proposal is providing a mix of units in the development, however the RBLP makes no distinction between studio flats and one-bed flats, so effectively there is no mix and this started as a proposal for 7x 1-bed flats. The proposal has now been adjusted to provide 6x 1-bed flats.

Although not a Major site in the town centre, such developments should provide a mix and the fact that there is no mix at all is contrary to Policy RC9. This should form a reason for refusal.

In terms of floor area, the Nationally Described (minimum) Space Standard for a 1 bedroom dwelling for 2 people is 50 sq m. According to the submitted material, the flat sizes range from about 41.7 sqm to about 44.7 sqm. These cannot be verified as the plans say that they cannot be scaled.

While Policy H5 advises that these space standards should not apply in the town centre the small unit sizes proposed in this case needs to be considered in the context of the quality and amenities of the new flats. It is also noted that the Red Lion permission 181117 did comply with the standards. Overall, the proposed units are undersized, but of more issue is the quality of accommodation and outlook. It is not considered that this is suitable as a reason for refusal of itself but the less than ideal unit sizes are a further indication of over development of the site.

## **6. Transport/parking/servicing**

This is a very accessible site and a car-free-development is appropriate in this location, as has been accepted in permission 181117. It is all the more important, then that cycle parking is able to be provided to the appropriate standard. The SPD requires 0.5 spaces per 1-2 bed flat. This equates to 3-4 spaces for this development, and as it is car-free, 4 would appear appropriate. This cannot be achieved to the Council's standards in the space shown (2mx2m area). The store is also in a secluded location. Given the tightness of the site, there is nowhere else suitable for it either. This is considered to be symptomatic of the overdeveloped nature of the proposal and should form a reason for refusal as contrary to policies CC7 and TR3 and the adopted Parking Standards and Design SPD.

## **7. S106 affordable housing**

In accordance with Policy H3, a development of this size is required to provide 20% affordable housing by way of an offside commuted sum. The applicant originally submitted a viability assessment to attempt to argue that the development cannot sustain any contribution towards affordable housing. This has been examined by an independent agent on behalf of the Council's Valuer, who advises that there are multiple assumptions in the

viability assessment which are not agreed. The applicant has further not accepted that the revised proposal be considered. Therefore, the viability argument proposed by the applicant (provision of no affordable housing) is not accepted and this should form a reason for refusal as contrary to policies H3, CC9 and the Affordable Housing and S106 SPDs.

### **Other issues**

Archaeological impacts could be controlled by condition. Energy/sustainability matters could be controlled by condition(s), as could other matters, such as air quality and noise matters.

The issues raised by objectors are considered to have been covered in the Appraisal above.

Policy H5 requires adaptability standards to be achieved. Given space inside the building, it is considered that this could be covered by condition, particularly as an outline application, the internal layout (floorplates) being applied for are not controlled unless this is explicit within any permission. It is not completely clear how level access would be achieved to the main entrance door, however, this is likely to be controllable by condition were the proposal otherwise acceptable.

If otherwise acceptable, the lamppost would need to be re-sited at the developer's expense.

This would be a CIL Liab development. Approximate liability would be approximately £55,130, but due to the issues regarding plan scaling, this is not able to be precisely confirmed.

**Complaint situation. At the time of writing the LPA's handling of this case has been subject to a Stage 1 and Stage 2 complaint investigation under the Council's formal Complaints Procedure. Unhappy with the output/findings from those investigations (partially upheld), the matter has progressed to the LG Ombudsman who is considering the matter of complaint further, but their advice, as is that from the Council's Customer Services Team, is now to determine this planning application.**

### **Equalities impact**

In determining this application the LPA 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, or sexual orientation. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application.

### **CONCLUSION**

This outline planning application has not demonstrated that this is a suitable site for a residential development. It is not clear what development potential use this land may have. Perhaps a smaller development. Perhaps its only viable use might be as ancillary landscaped space or an extension to the sites on either side. Perhaps it would remain in its current state.

The applicant is concerned that decisions have been taken on other sites without cognisance of the ability of this site to deliver development. However, it is not the responsibility of the local planning authority (or the planning system) to provide developments on all sites, but to deal with planning applications as they are submitted and to

consider each on their individual planning merits. These applications have not come forward with any coordination between the landowners themselves, the adjacent sites have been considered suitable (in one case via a Committee Resolution) and the current application needs to be considered on its own individual planning merits.

LP Policy CC1 has a presumption in favour of sustainable development. There are various positive aspects to this development: regeneration, provision of dwelling units, an efficient use of urban land, a car-free development. However, policies such as CC6 advise development to be suitable in terms of density and character to its location and none of these advantages overcome the very significant shortfalls in the quality of the development proposed.

Objections on behalf of adjacent developers are largely considered to be valid in planning terms. Their points are that the decisions on 26-28 Southampton Street and the Red Lion site are strong material considerations to the current planning application and the application proposal itself is poor and should be refused.

Whilst some concessions can be made for town centre developments in terms of amenity standards, etc., this development falls a long way short in a variety of respects. Given the site constraints and other very proximate residential land uses on 3 sides, it not proven that there is anything like the development opportunity left here, certainly, none has been proven to be possible via the current application, indeed, it has not been proven that this is a site suitable for a residential development.

The applicant disagrees but has not appealed against non-determination. The applicant was invited to withdraw the application but have declined. Therefore the recommendation is to refuse Outline planning permission.

**RECOMMENDATION: REFUSE planning permission for the following reasons:**

1. The outline application proposal, in terms of its Appearance, Layout and Scale would be harmful to the more modest in scale adjacent Listed Building. By its overbearing nature the proposed building would be visually detracting from and dominating of the setting of the Listed Building failing to provide a suitable transition in size and spacing. Furthermore, by virtue of its close proximity to the flank wall and gable of the Listed Building, the application has failed to demonstrate that there would not be harm to the fabric of the Listed Building via fire transfer, direct effects on footings/foundations of the Listed Building or that any suitable allowance can be given for maintenance access. The Heritage Assessment failed to consider these aspects and for the above reasons, the application is considered to be harmful to both the setting and fabric of the Designated Heritage Asset contrary to paragraph 194 of the National Planning Policy Framework 2021 and Policy EN1 (Protection and Enhancement of the Historic Environment) of the Reading Borough Local Plan (2019).
2. The outline application, in terms of its Appearance, Layout and Scale is considered to be an inappropriate design for the site for reasons of inappropriate spacing to neighbouring buildings. Due to the almost total site coverage and development density, the development would not provide suitable breathing space and a layout without opportunities for active or other meaningful amenity space/greening of the site, landscaping/trees (to be achieved as a Reserved Matter), or suitable servicing. As such, the proposal is considered to be an overdevelopment of the site and would fail to maintain the character and appearance of this part of Reading, to the detriment of the streetscene, neighbouring properties and future occupiers, contrary to policies CC5 (Waste Minimisation and Storage), CC7 (Design and the Public Realm), CC8

(Safeguarding Amenity) CR2 (Design in Central Reading) H10 (Private and Communal Outdoor Space) and EN14 (Trees, Hedges and Woodland) of the Reading Borough Local Plan (2019).

3. The proposed internal floor layout indicates that only small (under 50sq.m) one-bedroom flats would be provided. This is as a result of the overdevelopment of the site and the failure to provide a suitable mix in order to meet the housing needs of central Reading is contrary to Policy H2 (Density and Mix) of the Reading Borough Local Plan (2019).
4. The proposal would provide sub-standard internal amenity to the dwellings through poor access to natural light/sunlight; overbearing of windows serving habitable rooms, poor outlooks, lack of privacy/suitable overlooking towards adjacent dwellings; unacceptable disturbance through access to cycle and bin areas; and inappropriate location of a large bin storage area next to and partly obscuring a habitable room window. The majority of the flats will be affected by poor noise levels and no mitigation controls are proposed to show suitability in this regard. The development will therefore provide unacceptable living conditions for these residential properties and cause a detrimental impact on existing (and planned/under construction) neighbouring residential properties, contrary to policies EN16 (Pollution and Water Resources), CC5 (Waste Minimisation and Storage) CC8 (Safeguarding Amenity) of the Reading Borough Local Plan (2019).
5. Given the overdevelopment of the site and lack of suitable 'breathing space' around the building, the outline application is unacceptable in terms of Layout in that it fails to indicate that a suitable area for a cycle store can be provided in a convenient, secure, safe and efficient location. The proposal does not provide a suitable level of cycle parking provision in accordance with the Council's adopted standards, and will therefore fail to provide a choice of means of transport contrary to policies CC7 (Design and the Public Realm), TR5 (Car and Cycle Parking and Electric Vehicle Charging) of the Reading Borough Local Plan (2019) and the Council's supplementary planning document, 'Revised Parking Standards and Design' (2011).
6. The proposal would fail to provide a suitable financial contribution via a s106 agreement towards the provision of affordable housing in the Borough. The development would therefore fail to offset harm to the social and economic infrastructure of the borough in terms of housing needs, contrary to policies CC9 (Securing Infrastructure) and H3 (Affordable Housing) of the Reading Borough Local Plan (2019) and the Council's adopted supplementary planning documents, 'Affordable Housing' (2021) and 'Planning Obligations under Section 106' (2015).

#### Informatives:

1. This application for outline planning permission has been considered and refused on the basis of the following plans:  
  
17063 – 001 Rev. F Elevations, Location & Site Plans (Pr) dated 29.07.21  
17063 – 002 Rev. F Floor & Roof plans (Pr) dated 29.07.21  
17063 – 003 Rev. F 3D and Street Views Rev. F dated 29.07.21

The plans above all include the following notes:  
'Do not scale from Drawings';

'Levels and dimensions of existing structure/site may be from various sources and may be inaccurate';

'Unless stated otherwise this drawing is for design intent purposes only and should not be used for any other purpose. The drawing is indicative of designers visual requirements' [sic.];

'CDM: This drawing represents design intent only and should not be used for construction purposes without written notification from Principle Designer' [sic.]

The Local Planning Authority considers that the plans submitted are therefore unreliable/potentially inaccurate and this is a factor to be considered in the above reasons for refusal.

2. Positive and proactive requirement (opportunity to withdraw given and this draft decision and draft report supplied to the applicant).
3. Pre-app informative: preapp should be undertaken before any further applications submitted.
4. Reason 6 above could be potentially overcome with a suitable s106 agreement or unilateral undertaking.
5. This would otherwise be a CIL-Liable development. If otherwise acceptable, the lamp post would require re-siting, at the developer's expense.

**North-West**  
1/20

**North-East**  
1/20

**South-West**  
1/20

**South-East**  
1/20

**Location Plan Ex**  
1/20

**Location Plan Pr**  
1/20

**Site Plan Pr**  
1/20

Scale: 1" = 10'

1/20/2024

1 of 1

