

DELEGATED APPLICATION REPORT

Application No's: 220123/FUL and 220124/LBC

Address: 9 Eldon Square, Reading

Proposal: Demolition of existing garages and car port, followed by construction of one detached three-bedroom, 1.5 storey detached dwelling, with associated car parking, cycle and bin storage.

Case officer: Ethne Humphreys

Decision date: Originally 21/06/2022; EOT until 16/12/2022

Site Description and Surrounding Area:

The site relates to the rear portion of land associated with No.9 Eldon Square, fronting onto Eldon Terrace. The rearmost part of the site, which comprises 4 single storey garages and a carport, has a vehicle access from Eldon Terrace and the plot spans from Eldon Square forming the southern boundary to Eldon Terrace forming the north boundary.

No.9 Eldon Square is a Grade II Listed Building which is use as a medical surgery with residential accommodation above. The listing description is as follows:

"No.9 Eldon Square dates from circa 1840 and is a detached, Italianate building with two storey wings flanking a three storey centre and a basement. It is built of Bath stone ashlar, ground floor channelled. The first floor cill string to wings and modillion cornice with blocking course; centre plain cornice with high parapet. Three bays glazing bar sashes, first floor centre with shallow relief plain pediment. The outer ground floor windows tripartite with stone mullions, and bracketed pediment in slight recess. Central doorway flanked by pilasters and projecting gabled porch with arched entrance. Left hand return has pedimented break as does the right (but latter only 4 foot from side wall of No 11). There are end piers to the front garden, similar to others in the area. Hidden slate roof with ashlar chimneys, (moulded capping)"

The site is located within the Eldon Square Conservation Area, which contains a mix of terraced, detached and semi detached dwellings. The Eldon Square conservation area appraisal describes the buildings as being as of architectural interest as grand 19th century villas in Bath stone and having historic interest as examples of the polite architecture built as part of the urban development of Reading.

Directly adjacent to the application site boundary, within No.11 Eldon Square there is a large Ash tree, which is protected by virtue of its location within the Conservation Area.

The site is within an Air Quality Management Area, an area of archaeological potential and an area of potential contaminated land.

Given the garages are located within the curtilage of the host building an application for listed building consent has also been submitted.

Proposal:

Full planning permission and listed building consent is sought for a detached dwelling following demolition of the existing garages and carport. A new vehicle access is proposed,

with two on site car parking spaces. Bin and cycle storage is proposed, as well as indicative soft landscaping.

The proposed materials would include:

- Red English bond brickwork
- Natural slate roof
- Aluminium windows/doors/rainwater goods
- Natural stone copings
- Steel railed window guarding/planters

Plans Considered:

Drawing No: Location and Proposed Roof Plan 21002-PL-01 Rev A

Received 14th December 2022

Drawing No: Proposed Site Plan 21002-PL-03 Rev A

Drawing No: Proposed Elevation 21002-PL-05 Rev A

Drawing No: Existing and Proposed Street Scene Elevations 21002-PL-06 Rev A

Drawing No: Proposed Floor Plans 21002-PL-04 Rev A

Received 1st December 2022

Affordable Housing Statement ref.21002_0.1_22.04.26_AHS

Received 14th December 2022

Design, Access and Heritage Statement ref.21002.9.1_22.01.19_DAS

Air Quality Statement ref.21002_9.1_22.04.26_AQ

Sustainability Statement ref.21002_0.1_22.04.26_SUS

Preliminary Bat Roost Assessment ref.R3075/b

Received 11th May 2022

Relevant Planning History:

162343/FUL and 162344/LBC Demolition of existing range of four garages, car port and associated structures. Erection of one detached 2 bed single storey dwelling, including revised access and accommodation works. Withdrawn - after Planning Application Committee resolution to Refuse.

Nearby Sites:

17 Eldon Square

200974 and 200975 Construction of 3 x 2 bedroom terraced houses (with rooms in the roof space), associated amenity space, bin and cycle storage and undercroft vehicular access from Eldon Terrace to a parking area. Permitted.

191759 and 191734 Demolition of existing garages and erection of 2 x two bedroom and 1 x one bedroom terraced houses with associated amenity space and vehicular access to a parking area without complying with condition 2 (Approved Plans) of planning permission ref. 180274 to add 4 roof lights to the front (north elevation roof) of the terrace of houses and 2

additional roof lights and 2 additional dormer roof extensions to the rear (south elevation roof) of the terrace of houses. Permitted.

180274 Demolition of existing Garages and erection of 2 x two bedroom and 1 x one bedroom terraced houses with associated amenity space and vehicular access to a parking area. Permitted.

12 Eldon Terrace

200973 Erection of two storey (and roof space accommodation) building comprising 3 (2x1 & 1x2-bed) residential units (Class C3) with associated bin and cycle storage. Permitted.

180467 Demolition of existing dwelling with garages and erection of replacement two storey (and roofspace accommodation) building comprising 3x1-bed residential units (Class C3) with associated bin and cycle storage.

2-6 Eldon Terrace

050579 Demolition of existing workshop and erection of 4, one bedroom mews apartments. Refused and allowed at appeal.

Internal Consultation Responses:

Archaeology: No objection.

Conservation and Urban Design Officer: No objection, discussed below.

Ecologist: No objection subject to conditions, discussed below.

Environmental Protection: No objection subject to conditions, discussed below.

Transport Officer: No objection subject to conditions, discussed below.

Tree Officer: Original submission fails to provide sufficient replacement tree planting. More detailed landscape principles plan required. Initial concerns over amenity space.

External Consultation Responses:

Reading CAAC: No comments received.

Neighbour letters were sent to the occupiers of nearby properties and a site notice was put up. Advertised in local press on 16 May 2022.

12 letters of objection (including 3 each from 3 properties) received concerned with (in summary):

- Detrimental to character of the area and heritage feel
- Cramped layout / overdevelopment
- Too big
- Poor materials

- Harm to setting of heritage asset through loss of original garden
- Too overcrowded
- Congestion issues / impact on the environment
- Previous constructions erected on site / previous damages occurred
- Loss of light
- Loss of privacy
- Insufficient consultation
- Harm to trees / loss of trees
- Loss of garage parking to 9 Eldon Square
- Increased traffic
- Increase in noise from habitants
- Air pollution

Correspondence from Councillors

Cllr Josh Williams initially “called-in” the application for determination by the Planning Applications Committee. Upon further discussions with Members, it was agreed for the application to proceed under delegated powers.

Summary of discussions with applicant/agent:

The agent was advised of concerns relating to the bulk/massing and contrived appearance, unacceptable impact on the conservation area/street scene, insufficient landscaping and neighbour amenity concerns. Revised plans were received which overcame the concerns over landscaping; however, were still considered unacceptable due to the harm to the street scene and conservation area and neighbouring amenity.

The applicant confirmed that they wished to receive the decision notice with a view to appealing, hence the issuing of this decision notice within the agreed extended determination period.

Whilst the applicant advises that an informal pre-application enquiry was held with Reading Civic Society and Reading Conservation Area Advisory Committee, no pre-application advice was sought from the LPA prior to the submission of this application.

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.

Legal and Planning Policy Context

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.

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) which states at Paragraph 11 “Plans and decisions should apply a presumption in favour of sustainable development”.

Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

National Planning Policy Framework 2021
National Planning Guidance 2014 onwards

The relevant sections of the NPPF are:

Section 2 - Achieving Sustainable Development
Section 8 - Promoting Healthy and Safe Communities
Section 9 - Promoting Sustainable Transport
Section 11 - Making Effective Use of Land
Section 12 - Achieving Well-Designed Places
Section 15 - Conserving and Enhancing the Natural Environment
Section 16 - Conserving and Enhancing the Historic Environment

Reading Borough Local Plan 2019

CC1: Presumption in Favour of Sustainable Development
CC2: Sustainable Design and Construction
CC3: Adaptation to Climate Change
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
EN3: Enhancement of Conservation Areas
EN6: New Development in a Historic Context
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
H11: Development of Private Residential Gardens
TR1: Achieving the Transport Strategy
TR3: Access, Traffic and Highway-Related Matters
TR5: Car and Cycle Parking and Electric Vehicle Charging

RBC Supplementary Planning Documents

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

Other relevant documentation / guidance / legislation

Eldon Square Conservation Area Appraisal (2009)
Historic England Good Practice Advice in Planning Note 1: Conservation Area Designation, Appraisal and Management (Historic England, 2016)
Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking (Historic England, 2015a)
Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Historic England, 2015b)
Principles of Conservation (Historic England, 2008)
Guide to the Conservation of Historic Buildings (British Standards Publication BS 7913:2013, 2015)
Reading Tree Strategy (2021)
Biodiversity Action Plan (2021)
National Design Guide: Planning practice for beautiful, enduring and successful places (2019)

Appraisal

Principle

The National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed (brownfield land) and seeks that all housing applications should be considered in the context of the presumption in favour of sustainable development.

Whilst located within the curtilage of a listed building, the garages to be demolished are not of any architectural value or historic interest and are currently a negative feature in the Conservation Area. The replacement of the concrete wall that forms the Eldon Terrace frontage with a low brick wall would in itself be a visual improvement to the site. There is no objection therefore to the removal of the garages and the proposals to the existing boundary wall.

Transport officers have also confirmed no objection to the loss of the garages and reduction in parking provision for No.9 Eldon Square (discussed in the Transport section of this report below).

From a purely land use perspective a proposal to introduce one C3 residential unit would broadly comply with the objectives of Policy H1 (Provision of Housing) by contributing

towards meeting the housing needs within the Borough. Had the proposal been supportable a condition would have been used to secure the mix proposed to remain policy compliant in this respect.

Notwithstanding the above, the application site is subject to specific constraints due to its location within the curtilage of a Listed Building and a designated Conservation Area and the very close proximity of existing residential dwellings adjacent the east and west boundary. As the remainder of this assessment demonstrates, the proposal has failed to satisfactorily address these constraints.

Design, Impact on Heritage Assets and Street Scene

Policy CC7 (Design and the Public Realm) seeks to ensure that new development enhances and preserves the local character. The policy places importance on the layout of the urban structure and urban grain, stipulating that development should respond positively to the local context and create safe and accessible environments.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

“in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

As the site lies within the Eldon Square Conservation Area there is also a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regards to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

The above is reflected in Policy EN1 (Protection and Enhancement of the Historic Environment) which states that historic features and areas of historic importance and other elements of the historic environment, including their settings, will be protected and where appropriate enhanced. Policy EN3 (Enhancement of Conservation Areas) requires that the special interest, character and architecture of Conservation Areas will be conserved and enhanced and that development proposals within Conservation Areas must make a positive contribution to local character and distinctiveness. Further to this, Policy EN6 (New Development in an Historic Context) states that in areas characterised by heritage assets, the historic environment will inform and shape new development. The Council will, therefore, have regard to both the quality of the townscape and the quality and interest of the area, rather than solely that of the individual building.

Paragraph 130 of the NPPF 2021 details that decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character including the surrounding built environment.

Paragraph 199 of the NPPF 2021 details that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given

to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The National Design Guidance identifies 10 key components for good design and of particular note is the characteristic of 'Context' and it states that "well designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It should enhance positive qualities and improve negative ones." Additionally, there is specific reference to 'views inwards and outwards'.

As above, there is no in principle objection to the existing garages and carport being demolished in design/conservation terms. Due to the depth of the retained garden area of No.9 Eldon Square (and in the context of the surrounding Listed building plots) there is no objection to the subdivision of the site. There is also no objection in principle to a more contemporary appearance of building. However, any replacement building must be appropriate in all other aspects, including high quality design and one that relates well and enhances the character and appearance of the Conservation Area.

During the course of the application, revised plans were received which included setting the building slightly further back in the plot so that the proposed dwelling would not be forward of No's 2-6 Eldon Terrace. Two chimneys as well as recessed brickwork feature panels have been added to the east elevation to add some articulation.

The above is recognised. However, the plans have also omitted a ground floor window on the front elevation. This results in a contrived - and stark - appearance of the main front façade. Furthermore, this is a visually prominent location and whilst the additions to the east elevation may add some visual interest to this elevation in itself, due to the siting, height and depth this would result in an overly dominant form of development. Indeed, as can be seen from the proposed street scene drawing, the proposal would impose a substantial amount of unrelenting built form that would be clearly visible from the street scene.

The diagonal views will be poor and the proposed building would result in an unacceptably prominent feature that would appear as an unsympathetic development that would fail to maintain or enhance the character and appearance of the Conservation Area as well as the wider street scene. The need to site the majority of the bulk of the building along the eastern boundary is symptomatic of the constrained nature of the site. The proposed materials are not considered sufficient in themselves to create a visually interesting building or to mitigate the shortcomings of the architecture. Indeed, the differing elements to the building in terms of roof forms and materials and overall highly asymmetrical nature of the building highlights the awkwardness of the site layout and the incompatibility of the design with the character of the neighbouring properties. It would introduce a dominant building within a sensitive location which would visually jar with the adjacent buildings.

As above, the NPPF acknowledges that planning decision should not attempt to stifle innovation, originality or initiative; but it too seeks to reinforce local distinctiveness and to integrate new development into the natural, built and historic environment.

It is considered that the resultant building would be in stark contrast to the surrounding character, with the combination of the height, massing, form and siting resulting in a contrived, uncharacteristic and overdeveloped appearance. The proposed building is fundamentally at odds with the layout, scale and form of the character of the area. Overall, the proposals are not considered to preserve or enhance the character or appearance of the conservation area. It is acknowledged that the subtext to Policy EN6 states that the aim is not to copy existing heritage, but to use new development to underline key consistent elements of the local historic environment. It further states that good, modern design that is complimentary to the historic environment will be acceptable and preferable to 'pastiche'. As acknowledged elsewhere in this report, it is also difficult to argue that a more modern style would not fit in the area given the mix of architectural styles within the vicinity. The issue in this case is that the treatment designed to achieve that aim of a high quality building would accentuate rather than diminish the apparent size and massing of the building. In this respect, the detailed design of the replacement building would not enhance the character and appearance of the area enough to overcome the visual harm from the size of the development.

S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The proposals would result in a visually dominant and prominent feature. However, the impact of the proposals would be relatively localised in comparison to the total size of the conservation area and as such the harm to the Conservation Area identified above would be less than substantial. In these circumstances paragraph 201 of the National Planning Policy Framework says that the harm should be weighed against the public benefits of the proposal.

The public benefits of the proposal in this case lie in the provision of one units of accommodation in an accessible location. In addition, there would be some economic benefit attached to the development. Nevertheless, in weighing up the planning merits of the proposals and applying a critical planning balance, it is considered that the benefit of the contribution to the supply of housing (1 x 2 bed house) is small. Consequently, it carries little weight when balanced against the failure of the proposal to preserve or enhance the character or appearance of the Conservation Area and indeed the conclusion reached that the Conservation Area would be markedly diminished by reason of the new building's cramped layout and poor architecture.

In conclusion on this point it is not considered that the proposed development would preserve or enhance the appearance of this part of the Eldon Square Conservation Area and its contribution to the designated area as a whole, and would fail to preserve or enhance local distinctiveness, contrary to Policies CC7, EN1, EN3, EN6 of the Reading Borough Local Plan 2019.

The lack of objection from the Council's Conservation and Urban Design officer has been carefully considered. For the reasons give above, the proposal is considered to be harmful to the character of the conservation area and setting of adjacent listed buildings.

Impact on Neighbour Amenities

Policy CC8 (Safeguarding Amenity) requires developments to not cause a detrimental impact on the living environment of existing properties in terms of: Privacy and overlooking; Access to sunlight and daylight; Visual dominance and overbearing; Harm to outlook; Noise and disturbance; Artificial lighting; Vibration; Dust and fumes; Smell; and Crime and safety.

In relation to No.9 Eldon Square itself, with a back-to-back distance of more than 20m from the rear of the proposed building to No.9, no overbearing effects are considered to occur. Similarly, given the distance between buildings, the proposals are not considered to result in any significant material loss of privacy.

In relation to No.11 Eldon Square, given the significant distance to this property and that the proposed dwelling would be sited to the far end of the garden of No.11, no overbearing effects or loss of privacy are considered to occur.

In relation to the Eldon Road terraced properties that border the site to the west, it is acknowledged that these properties have short plots and the sole amenity space for these properties is in the form of patio areas to the rear of the dwellings. As such, rear habitable facing room windows to these properties are sited only 2m from the common boundary. There would be a distance of approximately 9.5m from the two storey element of the proposed dwelling to the boundary with these properties and 5m from the single storey element. The two storey element would have a hipped roof and the single storey element a flat roof, to minimise the impact. Whilst visible to the occupiers of these properties, given the distance combined with the design, no significant material overhearing effects are considered to arise such to warrant a refusal on this basis. No first floor windows are proposed on the flank elevation and whilst concern has been raised about loss of privacy through the rooflights, given their angle they are not considered to result in any significant material loss of privacy.

In relation to No's 2-6 Eldon Terrace to the east of the site, the area immediately adjacent the common boundary forms part of an area of shared amenity space for this terrace. No windows are proposed on the flank elevation and as such there would be no material loss of privacy. However, the proposed dwelling would be sited immediately adjacent the common boundary. With a depth of approximately 12.5m, height of approximately 4.4m to the eaves and 7.4m to the ridge in such close proximity this is considered to result in an overbearing and visually dominant impact to users of this shared amenity area. This would be contrary to Policy CC8. The applicant has stated that as the terrace also features an amount of private amenity space, no harm would be caused. The amenity space to each dwelling is small and whilst the area in question may not currently be used as such, that is not to say that future occupiers may not wish to use this shared amenity area and it does not stop the proposed development from being overbearing in this location.

Amenity of Future Occupiers

Policy H5 (Standards for New Housing) seeks that all new housing is built to high standards. Policy EN16 (Pollution and Water Resources) seeks to protect future occupiers from the impacts of pollution and Policy H10 (Private and Communal Outdoor Space) seeks that residential developments area provided with adequate private or communal outdoor amenity space.

The size of the dwelling (and bedrooms sizes) would meet the requirements of Policy H5 and the proposal is considered to provide an adequate and reasonable living space for future occupants. It is considered that the proposed layout and assignment of rooms to windows would allow for adequate outlook and daylight. The proposed amenity/garden would comprise both patio and garden area. Whilst acknowledging that the proposed garden would be smaller than that of No.9 Eldon Square once subdivided, it would be comparative in size to other plots to the east of Eldon Square including that approved at No.12 Eldon Terrace 17 Eldon Square. In this context the amount of garden space is considered to be adequate in size and reflective of other plots in the surrounding area, whilst the plot to the host dwelling to be retained is considered to be sufficient in size (and similar to that retained for No.17 Eldon Square, also a listed building).

It is considered that the proposed development would be situated far enough back from Eldon Road, London Road and Kings Road for it to be unlikely that traffic noise or air quality concerns would impact on future occupants and as such no additional mitigation is considered to be required in this respect. This is the same approach that was applied at No.12 Eldon Terrace and No.17 Eldon Square.

Transport Issues

Policies TR1 (Achieving the Transport Strategy), TR3 (Access, Traffic and Highway-Related Matters) and TR5 (Car and Cycle Parking and Electric Vehicle Charging) seek to address access, traffic, highway and parking relates matters relating to development.

The site is located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. This zone directly surrounds the Central Core Area and extends to walking distances of 2 kilometres from the centre of Reading. Typically, this zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone.

A new vehicle access from Eldon Terrace is proposed adjacent to the west boundary. This would result in the partial loss of the boundary wall. The new access point would allow for safe vehicle egress from the site and the Council's Transport Officer has confirmed that this would have an appropriate visibility splay. A license would be required to undertake all works on the public highway; this would include the reinstatement and realignment of the original access and the introduction of the new access.

In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide parking provision of 2 spaces for the new dwelling as well as retaining existing provision for No9 Eldon Square. Two off road parking spaces have been illustrated on plans for the new dwelling which is in accordance with the Councils current Parking Standards and Design SPD and would be acceptable.

Eldon Square is located in an area designated as a Residents Parking Permit Area Zone 11R where there is significant pressure for on-street parking due to a shortage of on-street residents' parking bays. The Council's Resident's Permit records indicate that No. 9 Eldon Square is included within resident's permit scheme and the property has been issued with a valid residents permit and a medical practitioner permit. The Transport Officer has confirmed that the development of this land would not increase the pressure for on-street parking in the area as No. 9 Eldon Square already benefits from parking permits.

Should the application have otherwise been considered acceptable, parking conditions and informative would have been applied to prevent any future occupants of the new dwelling from obtaining resident or visitor parking permits for the surrounding residential streets where parking is under considerable pressure. This would ensure that the development would not harm the existing amenities of the neighbouring residential properties by adding to the already high level of on street car parking in the area.

Policy TR5 requires that the development must provide Electric Vehicle (EV) charging points at time of build. Should the application have otherwise been considered acceptable this could have been dealt with by way of a suitably worded condition.

In accordance with the adopted Parking SPD, a 3 bedroom house is required to provide a minimum of 2.0 cycle parking space. A Sheffield type stand in an enclosed unit has been illustrated on submitted plans and is considered acceptable.

Bin storage has been illustrated adjacent to the entrance and in close proximity to the carriageway. Collection would be the same as other dwellings in the street and is considered acceptable.

A Construction Method Statement would have been required for the development should it have been acceptable.

Trees/Landscaping

Policy EN14 (Trees, Hedges and Woodland) seeks to extend the Borough's vegetation cover and that development should make provision for tree planting whilst Policy CC7 (Design and the Public Realm) seeks proposal should include appropriate landscaping. Given that the site is located within the Conservation Area, as well as being within an Air Quality Management Area, proposals should demonstrate an appropriate level of greening and/or net gain in the tree number.

It is proposed to remove 7 trees; 4 to facilitate the proposed development and 3 to allow for new tree planting. The Council's Natural Environment Officer has confirmed that 6 of the 7 trees are small species, the only potentially large species being the Norway Maple (T1) whose growth form will limit its future. The Natural Environment Officer has confirmed that none of these trees are worthy of being protected through a Tree Preservation Order.

The proposals as originally submitted indicatively showed 5 new trees. This would represent a net loss, with no alternative greening proposed which would be contrary to Policy EN14 and the aims of the Council's Tree Strategy. Notwithstanding, the Natural Environment Officer has confirmed that if the proposed trees were of a species that would compensate (in term of ultimate canopy spread) for the loss of the trees to be removed and useful landscaping was included on the Eldon Terrace frontage, this could be acceptable. The proposals show indicative soft landscaping on the Eldon Terrace frontage behind a new boundary wall, less than 1m high. Landscaping would, therefore, have to be selected from species that would exceed 1m in height to provide softening to the frontage.

Revised plans were received increasing the number of proposed trees from 5 to 7 (to include a tree on the site frontage) and the balance between soft/hard landscaping is more appropriate. Should the application have otherwise been considered acceptable, a pre-commencement landscaping condition would have been recommended to secure planting details to include the species, maintenance and management schedule.

Ecology

Policy EN12 (Biodiversity and the Green Network) seeks that developments should retain, protect and incorporate features of biodiversity.

A bat survey report has been submitted with the application and the Council's Ecologist considers that this has been undertaken to an appropriate standard, agreeing with the conclusion that the risk of the proposal adversely affecting bats would be minimal as the building is unlikely to host roosting bats.

Given the nature of the scheme, it would also have been appropriate to ensure that ecological enhancements were provided, namely bird/bat boxes and wildlife friendly landscaping. This could have been secured by way of condition in compliance with Policy EN12 had the proposal been able to be supported (as well as a condition relating to nesting birds).

Sustainability

Policy H5 (Standards for New Housing) requires that all new build housing integrate additional measures for sustainability. Should the application have otherwise been recommended for approval, conditions would have been recommended to ensure the development meets the following requirements:

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

Although secured by planning condition, these new requirements would have been administered through the Building Regulations, with confirmation of compliance submitted to the LPA to discharge the condition.

Environmental Health Matters

Policy EN16 (Pollution and Water Resources) required that developments on land affected by contamination can be satisfactorily managed or remediated against so that it is suitable for the proposed use. There is potential for use as garages to have caused contaminated land due to oil spills or similar. Should the application have otherwise been supportable, Environmental Protection colleagues recommend a standard unidentified contaminated land condition (in the event contamination discovered, works to stop and contamination report and remediation scheme to be submitted to LPA).

Affordable Housing

In accordance with Policy H3 (Affordable Housing) the proposed development, being for 1 dwelling, would be liable for an off-site affordable housing contribution equivalent of 10% of the GDV of the development.

The applicant stated they agreed in principle to enter into a legal agreement to secure a financial contribution. However, GDV valuations have not been submitted to allow the appropriate contribution to be calculated (as per the adopted SPD) and as such an affordable housing contribution has not been agreed (in any future appeal it would be expected for 3 valuations to be submitted at the outset of the appeal to allow further consideration of this). Given this, and as the proposal is not considered acceptable in other planning terms, the Council has not pursued the S106 legal agreement to secure the financial affordable housing provision.

An informative will specify that this reason for refusal could be overcome, in the context of an acceptable scheme in all other respects, by entering into a s106 or unilateral undertaking.

CIL

The proposal would be a Community Infrastructure Levy (CIL) liable development. The applicant has provided the CIL Additional Information Form. Based on the information provided by the applicant and the 2022 CIL rate, this is estimated to amount to £15,155.28 (143.5m² of the proposals - 46.5m² (buildings to be demolished) x £120 per m² x 2022 indexation (£156.24)). If the scheme had been acceptable an informative would have been attached to the decision notice to advise the applicant of their responsibilities in this respect.

Other matters raised in representation

All material considerations covered in the above report.

While the concerns of the local residents in terms of the disruption including noise, light pollution and traffic implications that may be caused by the construction works are noted, it is not the planning system's role to obstruct development on this basis. Inevitably, any construction works may lead to some temporary disruption. Ordinarily, the requirements of Environmental Health legislation will seek to limit any harm so far as reasonably practicable. The proposal is for a residential development and is unlikely to result in a significant increase in noise and pollution. Moreover, should the application have been recommended for approval a condition would have been attached requiring the need of a construction method statement to be provided prior to commencement of works to minimise any such disruption, as well as an hours of works condition.

Overall Planning Balance and Conclusion

It is acknowledged that the applicant has attempted to address concerns with the proposals during the course of the application. However, in short, whilst addressing some of the previous concerns, a number of significant shortcomings remain such as the proposed massing and detailed design deficiencies, which results in the proposals being harmful to the character and appearance of the conservation area and setting of nearby listed building / heritage assets too. In addition, there are concerns over the detrimental impact on the living environment of existing nearby occupiers and, furthermore, the lack of appropriate financial contribution towards Affordable Housing elsewhere in the Borough. In weighing up the planning benefits of the proposals (e.g. introducing one additional unit to the housing stock in

the borough, assisting the local plan target) versus the dis-benefits of the scheme (as detailed at length in the officer assessment above), it is considered that the critical planning balance weighs against the proposals. Having regard to the material considerations and all matters raised, the Local Planning Authority considers that the balance of considerations therefore weighs against the proposal, and instead planning permission and listed building consent is recommended to be refused.

RECOMMENDATION:

REFUSE

The proposed dwelling due to its excessive height, massing, and visually dominant form, together with its prominent siting, would appear as an obtrusive, inappropriate and unsympathetic development that would fail to maintain or enhance the character and appearance of the Eldon Square Conservation Area, the setting of listed buildings in Eldon Terrace, or the Eldon Terrace street scene. This would therefore be contrary to Policies CC7, EN1, EN3, and EN6 of the Reading Borough Local Plan 2019.

Due to the siting, height and depth of the east facing elevation immediately adjacent to the shared garden amenity space of No's 2-6 Eldon Terrace, the proposed development would result in an overbearing and visually dominant impact that would be harmful to the occupiers of these properties. The proposal is therefore contrary to Policies CC8 and H11 of the Reading Borough Local Plan 2019.

In the absence of sufficient information being submitted at application stage and in the absence of a completed legal agreement to secure a resultant acceptable contribution towards the provision of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough, contrary to Policies H3 and CC9 of the Reading Borough Local Plan 2019 and the Council's Adopted Affordable Housing Supplementary Planning Document 2021.

Informatives

The decision relates to the following drawings and documents:

Drawing No: Location and Proposed Roof Plan 21002-PL-01 Rev A

Received 14th December 2022

Drawing No: Proposed Site Plan 21002-PL-03 Rev A

Drawing No: Proposed Elevation 21002-PL-05 Rev A

Drawing No: Existing and Proposed Street Scene Elevations 21002-PL-06 Rev A

Drawing No: Proposed Floor Plans 21002-PL-04 Rev A

Received 1st December 2022

Affordable Housing Statement ref.21002_0.1_22.04.26_AHS

Received 14th December 2022

Design, Access and Heritage Statement ref.21002.9.1_22.01.19_DAS

Air Quality Statement ref.21002_9.1_22.04.26_AQ

Sustainability Statement ref.21002_0.1_22.04.26_SUS

Preliminary Bat Roost Assessment ref.R3075/b

Received 11th May 2022

Without prejudice to any future application or appeal, the applicant is advised that reason for refusal 3 (affordable housing) could be overcome by entering into a Section 106 Legal Agreement or unilateral undertaking for a scheme that was in all other respects acceptable.

The applicant is advised that the refused scheme, had it been able to be approved, would have been a CIL (Community Infrastructure Levy) liable development.

The local planning authority has worked with the applicant in a positive and proactive way by clearly setting out concerns relating to the proposal and providing an opportunity for the applicant to withdraw the application. However, the applicant chose not to withdraw the application, hence the issuing of this refusal notice within the agreed time period to determine the application by.

Prior to the submission of any future application at the site, the applicant is advised to enter into further pre-application discussions with the local planning authority.