

DELEGATED APPLICATION REPORT

SITE ADDRESS: Alexander House 205-207 Kings Road Reading RG1 4LS

APPLICATION NUMBER: 210902/FUL

PROPOSAL: Construction of new residential floor above existing roof level to create new residential use Class C3 to comprise 8 residential units.

DETERMINATION DATE: Originally 27/07/2021, but an extension of time was first agreed until 20/08/2021 and then subsequent extensions of time were agreed to enable the completion of the s106 legal agreement until 11/11/2022

1. Site Description and Surrounding Area

1.1 The application site comprises an existing two-storey office building located on the junction of Kings Road and Rupert Street to the east of Reading town centre. The building, which is vacant at the time of this application (the agent for the applicant confirmed during the course of the application on 20/09/2022 that the building has been vacant since 2017), was built in the early 1990s as part of a wider development which also included the residential units of Saxon Court to the north on the junction of Rupert Street and Norwood Road. The building is 'L' shaped, fronting onto both Kings Road and Rupert Street, with vehicular access from the latter to a basement car park.



Fig 1: Alexander House seen from the junction of Kings Road and Rupert Street

1.2 This application site is within Park ward, although the boundary with Thames ward is Rupert Street and the boundary with Redlands ward is Kings Road. The site is also within an air quality management area. Kings Road is a major transport corridor into and out of Reading

and is also designated as a 'treed corridor' in the adopted 2021 adopted Borough Tree Strategy.

1.3 The site is not within a conservation area, although it is relatively close to three. The nearest conservation areas are Alexandra Road (170m to the south), Eldon Square (220m to the west) and South Park (260m to the south-east). The application site is located outside of the designated Reading Central Area (the boundary being the grounds of Reading College 80m to the west) and outside the designated Cemetery Junction District Centre (the boundary being the former Arthur Hill Pool, 75m to the east). The application site does not include any designated heritage assets, although the following are within the vicinity of the site:

- Sardar Palace (149 London Road - Gladstone Club) Grade II listed building 30m to south-east of the application site;
- Wycliffe Baptist Church (233 Kings Road) Grade II listed building 110m to the east of the application site
- Entrance Lodges and Gates to Reading Cemetery (London Road) Grade II listed 240m to the east of the application site
- Reading Cemetery Grade II listed park and garden, 250m to the east of the application site

1.4 The surrounding area comprises a mix of uses, predominantly residential, with office and retail/related uses in the wider immediate area. Both neighbouring buildings on the Kings Road frontage are in residential use, comprising The Pinnacle (approved in 2001) and Crossway Point (approved in 2003). Both are up to seven storeys in height, with more details in the relevant history section below. On Rupert Street, the neighbouring Saxon Court residential block is three storeys in height, typical of the more domestic scale in the area to the north of the site.

2. Background

2.1 The ground and first floor of the building (minus a small area on each floor without windows marked as storage) benefits from a permitted change under Class O of use to 22 residential units under 210536/OPA (Application 1). At the time of the officer's unaccompanied site visit to the perimeter of the site on 09/05/2022 this prior approval change of use had not been implemented and remains valid for a period of three years for completion (until 24/06/2024).

2.2 A separate full planning permission was obtained under 210885/FUL (Application 2) for physical external works to the building. Namely, building up the existing first floor walls to provide vertical walls for a new second floor (roof level) thereby creating 203 sqm of additional usable floorspace within the building. The application also included the introduction of additional windows on the existing first and second floor (roof level) façade and additional balconies to serve internal 'storage' space not provided for by external windows. Again, at the time of the officer's unaccompanied site visit, this has not been implemented, but could be until 24/08/2024.

2.3 At the same time, a separate prior approval application (Application 3) under Class O (Reference 210906/OPA) sought a change the use of the roof level and those parts marked as 'storage' within the ground and first floor from office to residential comprising 13 residential units. However, as the physical works to the roof (under Application 2) were at the time of

the assessment of Application 3, not approved, implemented nor completed, Application 3 would have resulted in dwellings that would not have benefitted from adequate natural light. Therefore, prior approval application 210906 was refused in July 2021. Application 3 is now subject to an appeal, which is presently with the Planning Inspectorate awaiting a decision.

3. Proposal

3.1 This application (Application 4) seeks full planning permission for an additional storey on top on the physical works approved under Application 2 (which secured permission to build up the existing first floor walls to provide vertical walls for a new second floor). The scheme would provide 8 residential units, in the form of 4 x studio (1 bedroom, 1 bedspace/person), 1 x 1-bed (1b2p) and 3 x 2-bed (1 x 2b3p and 2 x 2b4p) units. There would also be a flat roof terrace area enclosed by a balustrade to provide a roof terrace which the plan states would be for all apartments (presumably throughout the building itself, rather than solely the 8 units sought to be created in this instance).

3.2 During the course of the application revisions to the second/third floor staircore (close to the northern boundary with Saxon Court) were made, following officer feedback (only some of the revised plans were submitted in September 2021, with those outstanding subsequently submitted in September 2022). The nature of these changes were not considered to be of a level/nature to warrant formal re-consultation. The applicant also altered its affordable housing offer during the course of the application. The originally proposed £188,000 financial contribution to affordable housing elsewhere in the borough was subsequently altered to a £20,000 financial contribution and the provision of a deferred contribution mechanism towards affordable housing. Such a change was proposed by the applicant, due to changes in scheme viability and not specifically requested by officers.

3.3 Plans and documents considered

AHR_PA2 001_Existing Location Plan
AHR_PA2 002_Existing Site Plan
AHR_PA2 003_Existing Basement Ground Floor Plans
AHR_PA2 004_Existing First Loft Floor Plans
AHR_PA2 005_Existing RoofPlan
AHR_PA2 006_Existing Elevations A B
AHR_PA2 007_Existing Elevations C D
AHR_PA2 008_Existing Sections AA BB
AHR_PA2 009_Existing Contextual Elevations A B
~~AHR_PA2 101_Proposed Location Plan (superseded 16/09/2022)~~
~~AHR_PA2 102_Proposed Site Plan (superseded 16/09/2022)~~
AHR_PA2 103_Proposed Basement Ground Floor Plans
~~AHR_PA2 104_PD First Prior Approval Floor Plans (superseded 23/09/2021)~~
~~AHR_PA2 105_Proposed Third Floor Plans (superseded 23/09/2021)~~
~~AHR_PA2 106_Proposed Roof Third Roof terrace Floor Plans (superseded 23/09/2021)~~
~~AHR_PA2 107_Proposed Elevations A B (superseded 23/09/2021)~~
~~AHR_PA2 108_Proposed Elevation C D (superseded 23/09/2021)~~
~~AHR_PA2 109_Proposed Section AA BB (superseded 16/09/2022)~~
~~AHR_PA2 110_Proposed Contextual Elevations A B (superseded 16/09/2022)~~
Design and Access Statement Supporting Document by Aqua Architecture Ltd Ref AHR_PA2 111
Area Schedule by Aqua Architecture Ltd

Planning Statement by Hooper Curry Hamilton LLP
Advice by Richard Harwood QC dated 27/05/2021 in the matter of Alexander House, 205-207 King's Road, Reading, RG1 4LS

As all received on 01/06/2021

AHR_PA2 104 Rev 0 - PD First & Prior Approval Floor Plans
AHR_PA2 105 Rev 0 - Proposed Third Floor Plan
AHR_PA2 106 Rev 0 - Proposed roof terrace and roof floor plans
~~AHR_PA2 107 Rev 0 - Proposed Elevation A & B (superseded 16/09/2022)~~
~~AHR_PA2 108 Rev 0 - Proposed Elevation C & D (superseded 16/09/2022)~~

As all received on 23/09/2021

AHR_PA2 101 Rev A - Proposed Location Plan
AHR_PA2 102 Rev A - Proposed Site Plan
AHR_PA2 107 Rev 0 - Proposed Elevation A & B
AHR_PA2 108 Rev 0 - Proposed Elevation C & D
AHR_PA2 109 Rev A - Proposed Section AA&BB
AHR_PA2 110 Rev A - Proposed Contextual Elevations A&B

As all received on 16/09/2022

AHR_PA2 111 Rev 0 - Proposed Terrace Floor CIL Plan
Area Schedule by Aqua Architecture Ltd, dated 16/09/2022
As received on 20/09/2022

AHR_PA2 112 Rev 0 - Proposed Third Floor CIL Plan
CIL form
As received on 21/09/2022

Affordable Housing / Viability based information

Email from Hooper Curry Hamilton LLP 'Affordable Housing Commuted Payment, Application Reference 210902', dated and received 03/08/2021
Best Price Guide by Prospect Estate Agency, New Homes, as received 03/08/2021
Letter from Arins Property Services dated 22/07/2021, as received 03/08/2021
Email from Prospect Estate Agents dated 16/07/2021 and excel spreadsheet titled Alexander House, 205-207 Kings Road, RG1 4LS, as received 03/08/2021

Viability Appraisal - Reading by Mynott Associates, as received 24/11/2021
Email from Hooper Curry Hamilton LLP 'FW: Reading Viability for Burleigh Estates Ltd', dated and received 24/11/2021
Elemental Cost Analysis by Mynott Limited 'King Street Reading - Roof conversion to Residential, as received 25/11/2021
Preliminaries breakdown, received 06/12/2021

3.4 CIL - At the outset of the application the CIL form was not completed correctly and no floorspace verification information was provided. Based on the floorspace figure submitted during the application on 21/09/2022 (600.3 sqm) and the 2022 CIL charging rate for residential of £156.24 per sqm, the total CIL liability would be £93,790.87. The standard CIL

informative will be included on the decision notice, with this be separately progressed with the applicant in due course under the terms of the CIL regime.

4. Relevant Planning History

4.1 87/TP/1249 - Erection of office block with associated car parking and 7 dwellings with associated car parking. Refused outline permission on 15/01/1988. Allowed on appeal 10/11/1989.

4.2 89-01366-REM (891332) - Construction of office building together with associated car park and 7 no. dwellings with associated car parking. Reserved Matters Approved 28/03/1990.

4.3 90-00531-FUL (901103) - Erection of two storey office block with semi-basement car park for 50 cars and two storey block of 7 flats with associated parking. Granted 23/08/1990.

4.4 162057/FUL - Erection of basement and 4 - 7 storey building comprising 56 (30x1, 18x2 & 8x3-bed) residential units (Class C3) with associated parking and landscaping, following demolition of existing basement and 2 storey office building (Class B1a). Granted 17/05/2017. Not implemented.

4.5 190160/FUL - Demolition of existing office building and construction of new 182 bed student accommodation development, over 7 storeys of accommodation plus lower ground floor, together with ancillary landscaping, parking. Refused 19/07/2019. Dismissed at Appeal [Ref APP/E0345/W/19/3242252] on 19/11/2020.

4.6 210536/OPA - Change of use from office use Class B1(a) to use Class C3 to comprise 22 residential units. Prior Notification under Class 0, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Granted 25/06/2021. Referenced elsewhere within this report as Application 1.

4.7 210885/FUL - Roof alterations and external elevation works. Granted 24/08/2021. Referenced elsewhere within this report as Application 2.

4.8 210906/OPA - Change of use from office use Class B1a to residential use Class C3 to create 13 new residential dwellings. These are created 11 within the roofspace of the building and a further 2 units on Ground and 1st Floor. Prior Notification under Class 0, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Refused 28/07/2021. Appeal lodged [APP/E0345/W/22/3291549] and currently in progress. Referenced elsewhere within this report as Application 3.

5. CONSULTATION AND PUBLICITY

5.1 Transport - Previously approved 210536/OPA for the COU from B1a to C3 x 22 Units. This application seeks to add an additional floor to create a further 8 x C3 units.

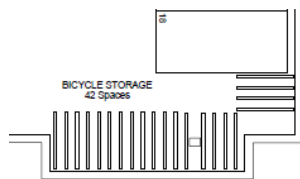
5.2 The site is located to the north of Kings Road (A329), a major transport corridor into Reading. The site is accessed to the east of Rupert Street, which forms a left-in/left-out vehicle crossover with Kings Road (A329). The A329 Kings Road is a major bus route with bus stops located on both sides of the carriageway and dedicated bus lanes allowing for bus priority in both eastbound and westbound directions.

5.3 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.

5.4 In accordance with the Council's Revised Parking Standards and Design SPD, the development would be required to provide 1 parking space per 1 and 2 bedroom unit. The GPD application provided 26 parking spaces therefore in addition to this existing provision a further 8 parking spaces are required. The Design and Access Statement states that a total of 43 parking spaces will be provided located at basement level. The existing access from Rupert Street is to remain unchanged. This is therefore deemed acceptable.

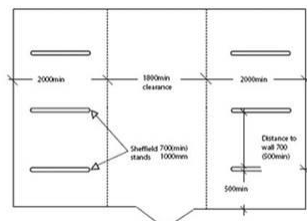
5.5 The Council's Residential Permit Parking Scheme operates in this area. Therefore, under the Borough's current parking standards, this proposal would generate additional pressure for parking in the area. If this application is approved there should be an assumption that any future occupants of the proposed dwellings will not be issued with resident or visitor parking permits. This will ensure that the development does 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.

5.6 Cycle provision should be provided in accordance with the Council's current standards which equates to 0.5 cycle spaces per unit, in addition to retaining provision for the existing units. The proposed scheme provides 43 bike storage spaces located within the basement floor. Storage should be covered and secure. The proposed layout below does not conform to standards. Cycles access would be obstructed by parking space No18.



5.7 The stands should be set back a minimum of 500mm from the wall as per the diagram below and there would need to be 1m between each bike.

Typical Cycle Layout



5.8 Revised plans are required, or further details secured via condition.

5.9 1100l bins are located adjacent to the parking area. However, no details of how and where these are to be presented for collection have been provided. Clarification is required, or further details to be secured via condition.

5.10 Given the sites location a Construction Method Statement would be required for the development, as secured via pre-commencement condition to protect the amenity of nearby occupiers (and the general public) and ensure that there are no harmful impacts on the highway network. The busy location around the application site, together with the nature of the proposals means this is necessary and relevant in this instance.

5.11 Accordingly, from a transport perspective the proposals are appropriate subject to the following conditions:

- Parking permits x2
- Cycle parking - submit details before first occupation
- Waste storage - submit details before first occupation
- CMS - pre-commencement

5.12 RBC Valuations: Advise that the revised affordable housing offer of £20,000 towards affordable housing elsewhere in the borough and a deferred contribution mechanism is the maximum appropriate contribution towards affordable housing in this case. This is due to scheme viability factors (as per Policy H3), which have been suitably evidenced in information submitted by the applicant in support of the application. The deferred mechanism contribution will comprise a late-stage viability review, whereby an uplift in scheme viability (in comparison with the evidence submitted at application stage) would result in a further additional affordable housing financial contribution being received by the Council. the deferred contribution calculation would be triggered on occupation of the 7th unit (87.5%) and payment is based on a side by side 50/50 share of any profit in excess of the cash equivalent of a 15% profit on GDV, with the deferred contribution capped at £168,000 using actual or where necessary, forecasted cost and values. The basis for the deferred contribution has been agreed with the applicant and should be secured in full via the s106 legal agreement. In this instance, with this secured, the proposal would be policy compliant.

5.13 Environmental Protection: No objection subject to conditions and informatives, as follows:

- Noise assessment condition and informative required.
- Air quality assessment condition required.
- Construction based informatives required.
- Measures to prevent pests and vermin access the bin stores condition required.

5.14 Public Consultation - The nearest properties adjoining the site were notified by letter, including Crossway Point, Saxon Court and The Pinnacle. No letters of representation have been received.

6. Equality Act 2010:

6.1 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.

7. Relevant Planning Policy and Guidance

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making. In this case the development plan consists of the Reading Borough Local Plan 2019.

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

7.3 National Policy and Guidance

National Planning policy Framework 2021
National Planning Practice Guidance

7.4 Reading Borough Local Plan 2019

CC1 Presumption in Favour of Sustainable Development
CC2 Sustainable Design and Construction
CC3 Adaption 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
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
TR4 Cycle Routes and Facilities
TR5 Car and Cycle Parking and Electric Vehicle Charging

7.5 Supplementary Planning Documents

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

8. APPRAISAL

8.1 Principle of development / land use considerations

8.2 It is first acknowledged that this application is somewhat unusual, as explained in the background section above, in that it effectively seeks to extend upwards a building for which the floor below does not presently exist (although permission is in place for its creation). Upon legal advice, it is noted that the proposed top floor cannot physically be constructed without implementation of the relevant permission associated to the floor immediately below (which is currently the roof space) through Application 2. On this basis the legal opinion is that consideration / assessment / determination of this application can be considered on its own merits and without a specific condition/legal agreement term linking it to Application 2. Instead, it will be that if that separate permission is not implemented, this permission solely relates to the third floor (as shown in the submission documents) and would fall away if Application 2 is not in place / implemented. The applicant has separately submitted its own legal opinion which effectively specifies the view that the application under consideration can proceed too. Accordingly, this context is firstly noted.

8.3 The principle of providing additional residential units (in this instance 8 residential units) aligns with the broad objectives of policy H1, in assisting to meet the Council's annual housing targets. This is a planning benefit of the proposed development.

8.4 In terms of the mix of units proposed (4 x studio, 1x1-bed and 3x2-bed) it is acknowledged that this is not to be in accordance with Policy H2, but given the context of previous applications at the site in the recent past it would be unreasonable in this specific instance to expect 50% of the units to be 3-bed units. Moreover, the impact this would have on scheme viability would be likely to be negative; when set within the existing challenging viability context (as detailed elsewhere in this report) this would reasonably call into question the viability of any proposal of this nature at the site. Accordingly, owing to the special circumstances of the case, flexibility in relation to Policy H2 is considered to be justified. The proposal does include a reasonable mix of 1 and 2-bed units of various sizes (suitable for 1, 2, 3 or 4 persons) and in the context of the prior approval / previous permission on the floors below, this is considered to align with the prevailing character in this specific building. Accordingly, the proposed mix is considered adequate and will be secured via planning condition.

8.5 Design / impact on heritage assets

8.6 The surrounding area is comprised of a mix of uses, predominantly residential, with office and retail/related uses in the wider area. Both neighbouring buildings on the Kings Road frontage are in residential use, comprising The Pinnacle (approved in 2001) and Crossway Point (approved in 2003). Both are up to seven storeys in height. On Rupert Street, the neighbouring Saxon Court residential block is three storeys in height, typical of the more domestic scale in the area further to the north of the site.

8.7 The adjoining buildings are of contemporary (of their time) appearance and contain the presence of balconies and flat roofs. The proposal to add a third floor level to the building would mean in Kings Road streetscene terms the proposals would not cause any discernible harm to the character of appearance of the immediate or wider area. In terms of Saxon Court to the north, following revisions during the course of the application, the relationship is considered to be maintained, with the scale reducing at the juncture closest to

Saxon Court to help the assimilation of scale at this point. It is also relevant to note that this follows the previously accepted approach at this point of the site at the time of permission 162057 (which although wasn't implemented is a relevant consideration in the planning history of the site). Hence, there are no concerns raised in relation to the scale and massing of the proposed works.

8.8 In respect of detailed design matters, the supporting Design and Access Statement specifies that the new third floor would comprise a metal cladding finish, with full height windows and doors aligned with the existing fenestration openings on the floors below and lightweight glass balustrades proposed for the third floor and roof terraces. The use of a contrasting (in comparison with the brickwork of the floors below) material (in this case metal cladding) for the upper most floor of accommodation is considered a suitable design response and one which is commonly used to help define the top floors of buildings along Kings Road and more generally. The large fenestration openings and lightweight terrace surrounds compliment the contemporary approach proposed. There are also design cues taken from the two neighbouring buildings along Kings Road, albeit in a more contemporary nature rather than seeking to continue the same previous character. Whilst the applicant has specified the intended materials, the level of precise detail has not been forthcoming and therefore all material details will be secured via condition. This is considered appropriate and necessary given the finished visual appearance of the development being required to be of high design quality.

8.9 In terms of the effect of the proposals on the nearby heritage assets specified at paragraph 1.3 of this report, it is considered that the proposals would result in no harm to the setting of any nearby listed building, nor the listed park and garden.

8.10 In overall terms it is therefore considered that the overall design approach is suitable and appropriate, both in itself and also within the context of the wider area, subject to material details being secured via condition.

8.11 Quality of accommodation

8.12 The proposed units are sufficiently sized and regularly shaped studio, 1 and 2-bedroom units. They comply with the nationally-described space standards for such units, including space for storage. Occupiers will have sufficient outlook and access to natural light from the proposed habitable rooms. As such, a suitable standard of accommodation is provided for future occupiers. In respect of Policy H5d, the applicant has provided no commentary detailing whether the proposed residential units would be accessible and adaptable in line with M4(2) of the Building Regulations. In the circumstances of there appearing to be no inherent reasons as to why the dwellings could achieve these standards, such details will be secured via condition. Further details in respect of specific Policy H5b&d matters are detailed within later sustainability/energy section of this report.

8.13 It is shown that each unit at third floor level would have access to an outdoor amenity space in the form of an individual external terrace. These vary in length depending on the individual unit. This is considered a positive element of the proposal, providing (an albeit small) private external space for each future occupier. The terrace as a whole runs around the majority of the perimeter of the building (aside from stair cores and where the building juts out on the south elevation). As such, a division appears to be shown on the floor plan to divide up the individual terraces. However, no details of the design or composition (presumed

to be an obscure glazed privacy screen) is specified in the submission. In order to protect the amenity of future occupiers (from overlooking/loss of privacy from their future neighbours) a condition will secure details of these screens to protect amenity for future occupiers. Future occupiers will also benefit from the proposed roof level roof terrace, which provides further opportunities for on-site amenity provision.

8.14 From an Environmental Protection perspective, as per the summary observations detailed above, the proposals are acceptable subject to conditions. More specifically, in terms of noise matters, given the busy nature of Kings Road a noise assessment would usually have been anticipated to have been submitted. No such assessment has been submitted in support of the application and therefore a pre-commencement condition is required in this scenario. Furthermore, if the subsequent assessment requires any mitigation, such measures will be required to be implemented prior to occupation to show that the standard noise levels can be met.

8.15 In terms of air quality, the proposed development is located within an air quality management area that is identified (through monitoring) as being a pollution hot-spot (likely to breach the EU limit value for NO₂). As the proposal introduces new exposure / receptors, an assessment and/or mitigation measures should have been provided as part of the application. No such assessment has been submitted in support of the application and therefore a pre-commencement condition is required in this scenario, to protect the health of future occupiers.

8.16 Finally, as also detailed in the transport observations, waste storage areas are proposed. However, from an Environmental Protection perspective, there is a widespread problem in Reading with rats (encouraged by poor waste storage providing a food source). Where developments involve shared bin storage areas, there is a greater risk of rats being able to access the waste and hence specific measures to prevent this will be secured via condition. With all of the above measures provided, in overall terms a suitable standard of accommodation will be created for future occupiers.

8.17 Impact on neighbour amenity

8.18 The provision of a further additional storey at the building has the potential of causing a loss of amenity to existing nearby occupiers. This is sought to be safeguarded through the application of Policy CC8.

8.19 In terms of privacy and overlooking, the effective third floor proposed here would lead to further possible opportunities for overlooking and loss of privacy to nearby occupiers. However, based on the site plan submitted, the window to window distance to The Pinnacle (to the west) would be a suitable 20m. To the north the provision of no windows on the north elevation (facing towards Saxon Court) downplays the privacy and overlooking impacts at this point. In terms of the impact to the east, the proposed east elevation windows would be 18m to the Crossway Point boundary. Although some new/further opportunities for overlooking towards Crossway Point would be created, these would be at an acute angle and no significantly harmful to warrant refusal of this application. The additional floor on the rear (north) elevation of the main part of the building (which fronts Kings Rd) would provide further opportunities for overlooking into the rear amenity space of Crossway Point, but given the existing prevailing character this is again not considered to be significantly harmful. The substantial width of Kings Rd and set back of the proposed floor from the southern site

boundary downplays any significantly harmful impact on buildings on the south side of Kings Rd. Hence, in overall terms the loss of privacy and overlooking impacts on nearby occupiers are not so significant to resist the proposals on this basis.

8.20 In terms of visual dominance / overbearing / outlook and daylight/sunlight impacts, whilst it is acknowledged that the proposals would add a further storey (and a set back roof terrace above the proposed floor), this is not considered to cause enough of a detrimental impact on the living environment of existing properties in these regards to warrant the proposals being refused.

8.21 It is noted that a large 306sqm roof terrace is proposed to be created at roof level, with an annotation on the floor plan specifying this will be for “all apartments”, which is assumed to be those on the lower floors as well as the eight units proposed as part of this application. Such an expansive area, whilst potentially providing a beneficial space for future occupiers, also has the potential to cause noise and disturbance to future and existing nearby occupiers. It is also possible that it could cause harmful overlooking/loss of privacy to nearby occupiers of adjacent buildings too. In the circumstances it is therefore considered reasonable and necessary to secure details of a management plan for the space, relating to its use and function, which would then need to be adhered to by all users. This would cover matters such as the times of use, the maximum occupancy, a code of conduct in terms of activities and use (e.g. details relating to the playing of music for example) and contacts/responsibilities for ensuring this is adhered to. With a management plan secured via condition it is considered that amenity of future occupiers and nearby occupiers will be sufficiently protected.

8.22 With regard to the other Policy CC8 amenity considerations, none are considered to arise to such an extent to resist the proposals on these grounds. Accordingly, in overall terms, the proposals are considered to comply with Policy CC8.

8.23 Transport matters

8.24 As per the transport observations at section 5 above, the proposals are considered appropriate from a transport perspective subject to a number of planning conditions. In addition, owing to the 43 space existing car park at the site, it is considered reasonable and necessary to secure details of EV charging points at the site. This is within the context of Policies TR3 and TR5. In particular, Policy TR5 is clear in specifying that communal car parks of at least 10 spaces should provide 10% active charging points. This will also be secure via condition too.

8.25 Affordable Housing

8.26 In line with Policy H3 a financial contribution is required to be made that will enable the equivalent of 20% of the housing to be provided as affordable housing elsewhere in the Borough. It is relevant to note that RBC policy contrasts from the NPPF in relation to small sites, with local circumstances justifying contributions towards affordable housing in all instances where a net increase in units is proposed (barring some exceptions). The Council’s position has been supported on appeal in numerous instances prior to and subsequent to the latest version of the NPPF (in 2021). In this instance the applicant was originally proposing a £188,000 financial contribution towards affordable housing. However, a re-appraisal of the applicant’s viability case resulted in the applicant altering its offer to £20,000.

8.27 RBC Valuations (as per section 5 above) have closely considered the justification put forward by the applicant and ultimately concur that the viability reality of the scheme is such that only a relatively limited initial financial contribution is able to be secured at the outset (via s106 legal agreement). However, in line with the Council's policy and SPD position, a deferred contribution towards affordable housing will also be secured in this instance. As per paragraph 5.12 above, the headline terms of this are that the mechanism would be triggered on occupation of the 7th unit (87.5%) and payment is based on a side by side 50/50 share of any profit in excess of the cash equivalent of a 15% profit on GDV, with the deferred contribution capped at £168,000 using actual or where necessary, forecasted cost and values. Such terms provide a basis for the Council sharing in any uplift in value at the site later on in the development process, therefore providing further scope for an increased contribution towards affordable housing. Both the initial payment and the deferred mechanism will be secured via legal agreement, complying with Policies H3 and CC9.

8.28 Moreover, as part of any future s106 legal agreement, there would also be the need for a related affordable housing obligation too. More specifically these relate to scenarios where the building would be subsequently extended / altered (to create further units) or units subdivided (e.g. a 2-bed unit becomes 2 separate 1-bed units) then contributions to affordable housing would apply on a cumulative basis (rather than individual application basis). This is also necessary in part due to Policy H3 requiring different levels of affordable housing depending on the number of units (thereby avoiding a succession of applications each having different requirements), the history of applications at the site meaning it is not unreasonable to anticipate future applications at the site and future conversions potentially not attracting an affordable housing contribution but potentially improving viability significantly.

8.29 Put another way, officers consider it appropriate to secure via legal agreement a mechanism to ensure that each future part of any future proposal at the site makes an appropriate contribution to affordable housing, having regard to the contribution that would arise from a single assessment across all components. Typically any additional contribution would take the form of a financial contribution to affordable housing elsewhere in the Borough, given the likely difficulties of incorporating further on-site provision in this instance. It is noted that such an approach was sought and considered appropriate on appeal by the Planning Inspectorate elsewhere in the Borough in June 2018 (see Ref 170251 at City Wall House, 26 West St Appeal Ref: APP/E0345/W/17/3188270).

8.30 With the following component parts secured, the proposal would be policy compliant in affordable housing terms.

8.31 Sustainability / Energy

8.32 In line with Policies CC2, CC3 and H5 proposals for new housing will be acceptable where the design of buildings and site layouts use energy, water, minerals, materials and other natural resources appropriately, efficiently and with care and take account of the effects of climate change. No explicit details have been submitted with the application and therefore, in the circumstances, two conditions securing the final design stage and as built SAP calculations will be secured.

8.33 Ecology / Biodiversity

8.34 In terms of biodiversity net gain, the applicant has not included any specifically detailed information to demonstrate compliance with Policy EN12 or relevant elements of the NPPF. In this instance it is considered appropriate to secure details via pre-commencement condition, which in practice will comprise details of a habitat enhancement scheme to be submitted to and approved in writing by the Local Planning Authority. There is considered to be scope for this to reasonably be provided in the proposed development, given the substantial flat roof area proposed.

8.35 Conditions

8.36 Pre-commencement conditions in respect of materials, habitat enhancements, construction details, sustainability, air quality and noise are considered to be required. In line with section 100ZA(5) of the Town and Country Planning Act the wording of these conditions have been agreed with the agent (on behalf of the applicant) prior to the determination of the application (email from officer to agent on 08/09/2022; reply from agent on 16/09/2022).

8.37 Conclusion

8.38 The proposed development has been assessed and the proposed works are considered to be in accordance with the above relevant policies and planning permission can be granted, subject to conditions and the completion of the s106 legal agreement.

9. RECOMMENDATION

9.1 GRANT Full Planning Permission subject to conditions and a section 106 legal agreement to secure the following:

- Financial contribution of £20,000 towards affordable housing elsewhere in the borough;
- Provision of a deferred contribution towards affordable housing (see paragraph 5.12 above for details)
- Should the building subsequently be extended/altered (to create further units) or units subdivided, then contributions to affordable housing would apply on a cumulative basis

Conditions:

1. TIME LIMIT (STANDARD)

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. APPROVED PLANS

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

AHR_PA2 001_Existing Location Plan
AHR_PA2 002_Existing Site Plan
AHR_PA2 003_Existing Basement Ground Floor Plans
AHR_PA2 004_Existing First Loft Floor Plans
AHR_PA2 005_Existing RoofPlan
AHR_PA2 006_Existing Elevations A B
AHR_PA2 007_Existing Elevations C D
AHR_PA2 008_Existing Sections AA BB
AHR_PA2 009_Existing Contextual Elevations A B
AHR_PA2 103_Proposed Basement Ground Floor Plans

As all received on 01/06/2021

AHR_PA2 104 Rev 0 - PD First & Prior Approval Floor Plans
AHR_PA2 105 Rev 0 - Proposed Third Floor Plan
AHR_PA2 106 Rev 0 - Proposed roof terrace and roof floor plans

As all received on 23/09/2021

AHR_PA2 101 Rev A - Proposed Location Plan
AHR_PA2 102 Rev A - Proposed Site Plan
AHR_PA2 107 Rev 0 - Proposed Elevation A & B
AHR_PA2 108 Rev 0 - Proposed Elevation C & D
AHR_PA2 109 Rev A - Proposed Section AA&BB
AHR_PA2 110 Rev A - Proposed Contextual Elevations A&B

As all received on 16/09/2022

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. Materials

* No development shall commence until a schedule of the materials (specification details and photographs) to be used in the construction of the following external surfaces of the development hereby permitted:

- a) third floor and roof terrace floor extension façade materials;
- b) windows and doors details;
- c) external balcony materials

have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details approved.

REASON: These details are required due to insufficient information being contained within this submission and in the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

4. CMS

* No development shall commence on site, including any works of demolition, until a site specific Construction Method Statement has been submitted to and been approved in writing by the Local Planning Authority. The Statement shall provide for WHERE REQUIRED:

- a) Space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided;
- b) Location on site for storage of plant and materials used in constructing the development;
- c) The erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site;
- d) Identification of any footpath closures or road closures needed during construction;
- e) Required wheel washing facilities on site;
- f) A scheme for recycling waste resulting from the construction works.
- g) Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- h) Required measures to control the emission of dust, dirt and other airborne pollutants during demolition and construction;
- i) Provisions to be made for the control of noise coming from the site during demolition and construction;
- j) Full details of pest control measures following any demolition required. Where necessary, capping of drains/sewers and baiting arrangements.

The measures within the approved Statement shall be adhered to throughout the demolition and construction period.

REASON: These details are required due to insufficient information being contained within this submission and in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in accordance with Policies CC8, EN15 and TR3 of the Reading Borough Local Plan 2019.

5. SAP ASSESSMENT - final design stage

* No development shall commence on site 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 a 'design stage' 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.

6. SAP ASSESSMENT MINOR - AS BUILT (TO BE APPROVED)

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 Policies CC2 and H5 of the Reading Borough Local Plan 2019.

7. Noise Assessment

* No development shall commence on site until a detailed scheme, informed by an assessment of the current noise environment, for protecting the dwellings from the external noise environment of the area has been submitted to and approved, in writing, by the Local Planning Authority. The scheme itself shall be designed, specified and constructed so that the sound insulation performance of the structure and the layout of the dwellings are such that the indoor ambient noise levels do not exceed the values detailed in Table 4 of BS 8233:2014 and that the individual noise events do not exceed 45 dB LA,max,F more than 10 times a night. Where opening windows will lead to an internal noise level increase of 5 dBA or greater above BS 8233:2014 recommended internal levels, the scheme shall include provision of alternative mechanical ventilation with minimum performance equivalent to a mechanical heat recovery (MVHR) system with cool air bypass as an alternative means of cooling and ventilation. Noise from the system should not result in BS8233 internal levels being exceeded.

Thereafter, the development shall not be carried out other than in accordance with the approved scheme which shall be completed before any part of the accommodation hereby approved is occupied.

REASON: These details are required due to insufficient information being contained within this submission and in order to safeguard the amenity of occupants in accordance with Policies EN16 and CC8 of the Reading Borough Local Plan 2019.

8. Air Quality

* No development shall commence on site until a detailed Air Quality Assessment to determine whether mitigation is required to protect the residents from the effects of poor air quality is submitted to and approved in writing by Local Planning Authority. Where this Air Quality Assessment identifies that future residents will be exposed to poor air quality, an air quality mitigation scheme shall accompany this assessment demonstrating sufficient mitigation to protect the occupants. The scheme shall be implemented as approved prior to occupation of any part of the development and retained as approved at all times thereafter.

REASON: These details are required due to insufficient information being contained within this submission and in order to protect the health of future occupants of the proposed development in accordance with Policies EN15 and CC8 of the Reading Borough Local Plan 2019.

9. Details of bin stores

No dwelling hereby permitted shall be first occupied until details of refuse and recycling bin stores have been submitted to and approved in writing by the Local Planning Authority. The details shall include measures to prevent pests and vermin accessing the bin store(s). The approved bin storage, including pest and vermin control measures, shall be provided in accordance with the approved details prior to first occupation of any permitted dwelling and the areas of land so provided shall not be used for any purposes other than the storage (prior to disposal) or the collection of refuse and recycling and shall be thereafter retained and maintained as such.

Reason: In the interests of general amenity, to ensure convenience of arrangements for refuse and recycling storage and collection and to ensure that no obstruction is caused on the adjoining highway, in the interest of highway safety, in accordance with Policies CC5, CC8 and TR3 of the Reading Borough Local Plan 2019.

10. Cycle spaces

No dwelling hereby permitted shall be first occupied until a plan showing how a minimum of 4 cycle parking spaces can satisfactorily be provided on site is submitted to and been approved in writing by the Local Planning Authority. The cycle parking spaces shall be provided in full accordance with the approved details prior to first occupation and thereafter kept free of obstruction and retained in accordance with the approved details and shall remain available for the parking of cycles at all times.

REASON: These details are required due to insufficient information being contained within this submission and in order to encourage travel by sustainable alternatives to private vehicle in accordance with Policies TR3 and TR5 of the Reading Local Plan 2019.

11. PARKING PERMITS 1

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.

12. PARKING PERMITS 2

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.

13. EV CHARGING POINTS

No dwelling hereby approved shall be first occupied until details of an electric vehicle (EV) charging Scheme comprising a layout plan and detailed specification for a minimum of ten percent of all vehicle parking spaces within the site to be provided with electric vehicle charging points, and a further ten percent of spaces provided with cabling and other supporting infrastructure reasonably required to enable EV charging points to be fitted, has been submitted to and approved in writing by the Local Planning Authority.

No dwelling shall be first occupied until the Scheme has been fully provided in accordance with the approved details. The spaces shall be maintained for vehicle charging in accordance with the approved Scheme at all times thereafter.

REASON: In the interests of environmentally sustainable transport in accordance with Policies TR3 and TR5 of the Reading Local Plan 2019.

14. DWELLING MIX (RESTRICTION)

No change to the unit mix (4x studio units, 1 x 1-bedroom and 3 x 2-bedroom units) shall be made to the development hereby permitted without written approval from the Local Planning Authority.

REASON: In order to ensure that the proposed development provides an appropriate range of housing opportunities / dwelling types to meeting requirements for different groups, in accordance with Policy H2 of the Reading Borough Local Plan 2019.

15. Habitat enhancement

* No development shall commence on site (including demolition or preparatory works) until details of a habitat enhancement scheme are 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: Details are required prior to commencement as insufficient information was submitted with the application and 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.

16. Management Plan for use of the roof terrace

Prior to the first occupation of any residential unit hereby approved, details of a management plan relating to the use of the roof terrace floor roof terrace shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall thereafter be adhered to.

REASON: These details are required due to insufficient information being contained within this submission, to safeguard the amenities of future and existing nearby residential units from noise, disturbance, overlooking and loss of privacy in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.

17. Privacy screens

Prior to the first occupation of any residential unit hereby approved, details of privacy screens (location and position of the screens, their dimensions, design and manufactures specification, and ongoing maintenance arrangements) shall be submitted to and approved in writing by the Local Planning Authority. The approved privacy screens will be installed before the first occupation of the relevant residential units hereby approved and shall be permanently maintained as such.

REASON: These details are required due to insufficient information being contained within this submission, to safeguard the amenities of the adjoining residential units from overlooking and loss of privacy in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

18. Accessible and adaptable

Prior to the first occupation of any residential unit hereby approved, details of the measures each unit will include to be accessible and adaptable in line with M4(2) of the Building Regulations shall be submitted to and approved in writing by the Local Planning Authority.

The approved measures will be installed before the first occupation of the relevant residential unit hereby approved and shall be permanently maintained as such.

REASON: These details are required due to insufficient information being contained within this submission, to safeguard the amenities of future residential units and their changing needs over time, in accordance with Policy H5 of the Reading Borough Local Plan 2019.

Informatives

The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the agreed extended timescale for the decision to be issued.

2. In accordance with Article 35 (DMPO 2015) some conditions have been highlighted with a * to make clear that they require approval from the Local Planning Authority before any development begins. This is because the details need to be designed or works implemented before any other works start on the site or are of a nature that it would be impractical to consider after work has started.
3. 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.
4. 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.
5. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.
6. Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.
7. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.

8. Noisy construction, demolition and associated activities should be restricted to between the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, with no noisy works taking place at any time on Sundays and Bank or Statutory Holidays.
9. To minimise the disturbance by noise of future residential occupiers of the flats and its effect on neighbouring residents, residential accommodation must be designed and constructed or converted so as to achieve the insulation requirements set out in Building Regulations Approved Document E.
10. During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at: www.communities.gov.uk/publications/planningandbuilding/partywall
11. 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 CHARGEABLE. 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:
https://images.reading.gov.uk/2019/12/CIL_Advice_to_Applicants.pdf
12. Work on a loft or roof may affect bats. The applicant will need to consider protected species when planning work of this type. A survey may be needed, and if bats are using the building, a licence may be required. To view specific information regarding bats use the following link: <https://www.gov.uk/wildlife-licences>
13. 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.