

DELEGATED APPLICATION REPORT

App Ref: 220350/FUL

Address: Onc House, 68 St Johns Road, Caversham Road

Proposal: Demolition of B2 warehouse to construct 6 x 3 bedroom houses and 1 x 2 bedroom house with associated landscaping

Case Officer: Connie Davis

Target Decision date: 01/06/22

Site Description and Surrounding Area

The application site relates to an industrial building (approx. 1000 sqm) located on the eastern side of St Johns Road. Behind the site are commercial buildings, but elsewhere on the road are residential dwellings.

The application site is not Listed, nor in a Conservation Area. However, it is located within Flood Zone 3(b) and on potentially contaminated land.

Proposal

Planning permission is sought for the demolition of the industrial building and the erection of 6 x 3 bed, 3 storey terrace town houses and 1 x 2 bedroom dwelling, with associated landscaping and parking. Parking would be provided at the front of the dwellings in tandem form.

The single dwelling would have a maximum height of 7.7m, width of 12.8m and depth of 12.5m.

The terraces, combined, would have a width of 25.8m, and each dwelling would have a depth of 11.6m and a maximum height of 10m. They would have pitched roofs and be orientated so the frontage faces into the car park, rather than the road.

The single dwelling would be in line with properties to the north, with the group of terrace properties being set further back to accommodate parking.

Internal Consultations

Transport - No objection in principle, but further information required

Ecology - Objection as no ecological survey has been provided

Environmental Health - No objections, subject to conditions

Natural Environment - No objections, but further information required

Environment Agency - No formal comments, but advised that they would seek to condition certain elements of the Flood Risk Assessment

External Consultation

Public

Consultation letters were sent to adjoining properties. A site notice was also displayed. 4 representations were received

- Concerns about how the development would be constructed, where parking would be located, times of construction etc

Officer comment: *These matters would be dealt with and secured via condition. A Construction method Statement would need to be submitted by the applicant dealing with these matters, which the Local Planning Authority would then review.*

- Relationship of plot 1 to the adjacent house needs to be carefully considered

Officer comment: *See appraisal*

- Car charging points should be provided

Officer comment: *See appraisal*

- “We may have to relocate our businesses due to the noise of the initial demolition will there be any compensation for our inconvenience?”

Officer comment: *This would be a civil matter between the business and developer. The Council would not provide compensation.*

- “As we have parking next to the buildings, will the council give us permits to park on the street during the demolition and construction of the new properties? There is a concern over vehicle damage.”

Officer comment: *A CMS will be submitted to ensure construction vehicles will adequately park and not disrupt the highway. Parking permits are not issued by the Planning Department. The developer should take due care during construction not to damage vehicles. However, if this arose, this would not be a Council matter, but rather a civil matter.*

Plans/Documents Considered:

Application Form

CIL Form

Flood Risk Assessment V1, prepared by Clive Onions, dated 24th September 2021

Viability Assessment prepared by ET Planning

Design and Access Statement

A-1000 Rev A - Site Location & Block Plan

03-00 - Existing Ground Floor Plan

05-10 - Existing Elevations

05-11 - Existing Elevations

A-1100 Rev A - Plot 1 Proposed Elevations

A-1105 Rev A - Plots 2 to 7 Proposed Elevations

A-1110 Rev A - Plots 2 to 7 Proposed Elevations
A-1150 Rev A - 3D Views Option A
A-1010 Rev A - Proposed Site Layout Option A
A-1050 Rev A - Plot 1 Proposed Floor & Roof Plans
A-1055 Rev A - Plots 2 to 7 - Proposed Floor & Roof Plans

Received 15th March 2022

Relevant Planning History

191787/PNN- Notification of Prior Approval for a Change of use of building from Class B1(c) (Light Industrial) to C3 (dwellinghouses) to comprise 6 x dwellings. Prior Notification under Class PA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - Application Refused

191330/PNN - Notification of Prior Approval for a Change of use from Class B1(c) (Light Industrial) to C3 (dwellinghouses) to comprise 6 x flats. Prior Notification under Class PA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - Application Refused

191058/PNN - Notification of Prior Approval for a Change of use from Class B1(c) (Light Industrial) to C3 (dwellinghouses) to comprise 8 x flats. Prior Notification under Class PA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - Application Withdrawn

191617/PNN - Notification of Prior Approval for a Change of use from Class B1(c) (Light Industrial) to C3 (dwellinghouses) to comprise 6 x flats. Prior Notification under Class PA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - Prior Approval Notification - Refusal 19/11/19

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.

Relevant Planning Policy and Guidance

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. The Development Plan for Reading relevant to the application site comprises the Reading Borough Local Plan (2019).

The 'National Planning Policy framework' ('NPPF') 2021 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Reading Borough Local Plan, 2019) according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the 'NPPF', the greater the weight that may be given).

Relevant Policies

The application has been assessed against the following policies:

National

National Planning Policy Framework 2021;

National Planning Policy Guidance 2014 onwards;

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

EN12: Biodiversity and the Green Network

EN14: Trees, Hedges and Woodland

EN15: Air Quality

EN16: Pollution and Water Resources

EN18: Flooding and Drainage

H1: Provision of Housing

H2: Density and Mix

H3: Affordable Housing

H5: Standards for New Housing

H10: Private and Communal Outdoor Space

TR1: Achieving the Transport Strategy

TR3: Access, Traffic and Highway-Related Matters

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)

Appraisal

The main issues are considered to be:

- Principle of development
- Housing Mix
- Design and impact on the surrounding area
- Impact on existing and future occupiers
- Transport Matters
- The Natural Environment

- Contaminated Land
- Flooding
- Sustainability
- Affordable Housing and CIL

a) Principle of development

The [NPPF](#) states that LPAs should “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”. The NPPF definition of ‘previously developed land’ excludes private residential gardens in built up areas.

Therefore, it is clear that the priority for development should be on previously developed land, in particular vacant and derelict sites and buildings. The site is currently in use as an industrial building. Policy EM3 states that employment land should be retained. Whilst no information has been provided to advise if the building is currently used as employment space (or if it is vacant), the site is not located in a core employment area where the loss of such buildings would conflict with policy. Given the surrounding area is residential, and this industrial building is one of few on this residential street, the principle of development for residential is accepted. The re-using of brownfield land, such as this is supported by the NPPF and the proposal would contribute towards Reading’s housing stock which is compliant with Policy H1 of the Reading Borough Local Plan (2019). However, this is subject to other material planning considerations such as matters relating to design, residential amenity, transport and landscaping.

b) Housing Mix

The NPPF seeks to ‘boost significantly the supply of housing’ and deliver a wide range of homes, of different types and tenures. Achieving an efficient use of the land within the context of any central and sustainably located site is a key priority both at a national and local level. The NPPF states that LPAs should actively “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”. In general terms, officers support those urban design principles which encourage an ambitious approach to density on such sites.

With regard to dwelling mix, Policy H2 states that:

“Wherever possible, residential development should contribute towards meeting the needs for the mix of housing set out in figure 4.6, in particular for family homes of three or more bedrooms.”

The proposal would provide 1 x 2 bedroom dwelling and 6 x 3 bedroom dwellings.

As outlined in Policy H2, the greater demand for dwellings is 2 or 3 bed. As such, the mix is welcomed given the highest proportion is 3 bed dwellings. The proposal is therefore deemed acceptable in this regard.

c) Design and impact on the surrounding area

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.

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.

Policies CC7 (Design and the Public Realm) seeks to ensure that new development enhances and preserves the local character.

The surrounding area primarily comprises terrace houses on the eastern side and semi-detached dwellings on the western side. As such the presence of a terrace would not be out of keeping with properties in the immediate vicinity. However, the stark design of the terrace, owing to its three storey height and uniform jagged roof is considered visually prominent and out of keeping with the general scale of the terraces elsewhere on the road.

The terrace would be set back from the road by 23m which is further than other buildings on the eastern side of the road. However, given the existing building is set back further than residential development, it is not considered that this would result in a development that would be harmfully out of character. Unlike the terrace, the single unit would be in line with the immediate neighbour, no. 70 St Johns Road. However, as a result of this, the 2 bedroom dwelling (Plot 1) would be set forward of the terrace leading to a jarring visual relationship between the buildings. Whilst spacing between buildings is not consistent in the vicinity, it is considered that scheme represents an overdevelopment of the site, with an awkward relationship between buildings owing to the cramped formation and layout.

In terms of the proposed parking layout, this is considered to dominate the frontage of the site. Whilst it is acknowledged that the surrounding area has a varied parking arrangement, these dwellings would each have two parking spaces (in tandem). This is not the case with the surrounding properties, where cars park generally in parallel. As such, a greater portion of the site frontage is required to provide parking spaces, consequently resulting in an overly dominant parking arrangement, and a development that is generally set back from immediate properties (in order to provide the required parking). This again is indicative of overdevelopment of the site.

For the reasons above, the proposal fails to enhance or preserve local character, contrary to Policy CC7 of the Reading Borough Local Plan.

d) Impact on existing and future occupiers

Future occupiers

The 6 x 3 bedroom dwellings (Plots 2-7) would be provided with suitable room sizes, outlook, ventilation and daylighting for future occupiers. It also meets the minimum space standards set out in Policy H5 of the Local Plan (2019).

Whilst Plot 1 meets space standards and would be provided with suitable windows for access to natural light the entire rear garden would have the three storey proposed development on the boundary. As such, it is considered the rear amenity space would be heavily shaded and would be subject to overbearing impacts, contrary to Policy CC8 of the Reading Borough Local Plan (2019).

Amenity Space

Further to the points raised above, Policy H10 states that *“Dwellings will be provided with functional private or communal open space, including green space wherever possible... The design of outdoor areas will respect the size and character of other similar spaces in the vicinity”*

Each dwelling will be provided with a similar size outdoor amenity space to each other, and properties in the vicinity. Whilst the sqm of the gardens would be being less than the floor area of the dwelling, these are still considered a size that would be suitably usable for recreation and basic functions, as outlined in Policy H10.

However, concerns are raised regarding the privacy of these rear amenity spaces. The entire rear garden of Plot 1 would have the three storey proposed development on the boundary. As such, it is considered the rear amenity space would be heavily shaded and would be visually dominated by development/ would feel overbearing. Furthermore, neighbouring property, 70 South View Avenue (Delta House), which joins the site to the north, has obtained prior approval to convert from commercial to residential (reference 211028 - approved 25/08/22). Given this prior approval has not yet expired, it is a material consideration in the planning process. If this prior approval were implemented, rear facing residential windows at this neighbouring site would face directly onto the gardens of the proposed dwellings. This would result in severe overlooking for future occupiers of the proposed dwellings when using their gardens due to the direct and uninterrupted views, contrary to Policy CC8 of the Local Plan.

Existing occupiers

Policy CC8 states that development will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties, in terms of:

- Privacy and overlooking;
- Access to sunlight and daylight;
- Visual dominance and overbearing effects of a development;
- Harm to outlook;
- Noise and disturbance;
- Artificial lighting;
- Vibration;

- Dust and fumes;
- Smell;
- Crime and safety

To the rear of the site are commercial buildings rather than residential dwellings. Whilst the dwellings would project beyond the rear elevation of 70 St Johns Road, it is not considered that the development would adversely affect outlook or result in a loss of light. The three storey town houses would also be set a sufficient distance from the boundary with 70 St Johns Road so as not to result in overbearing impacts to its rear garden.

The proposal is therefore deemed acceptable in relation to existing occupiers in line with Policy CC8 of the Reading Borough Local Plan (2019).

e) The Natural Environment

Policy EN12 states: *“On all sites, development should not result in a net loss of biodiversity and geodiversity, and should provide a net gain for biodiversity wherever possible.”*

Policy EN14 states: *“Individual trees, groups of trees, hedges and woodlands will be protected from damage or removal where they are of importance, and Reading’s vegetation cover will be extended. The quality of waterside vegetation will be maintained or enhanced...New development shall make provision for tree retention and planting within the application site”*

Ecology

The surrounding area is largely residential and contains gardens with tree lines which connect in the wider landscape to the River Thames 500m to the south of the application site which offer good foraging opportunities for bats.

As such, there is a risk that the proposals may affect protected species and an ecological assessment (comprising an extended Phase 1 Habitat and Species Scoping Survey, and any phase 2 surveys) will need to be submitted prior to the determination of the application.

No survey has been received and therefore the applicant has failed to demonstrate that the proposal would be acceptable in relation to Policy EN12 as it is not clear if the proposal would harm protected species, including bats.

Trees

This site is part of the Air Quality Management Area, meaning that tree planting plays an important role in assessing this application.

There are no trees on site (except a self-seeded Sycamore on the southern boundary) but a number of trees adjacent to the site at 70 St Johns Road (rear garden) are likely to be affected by the development.

The trees in the rear garden of no. 70 (and 72) St Johns Road play an important role as a privacy screen to overlooking views from 70 South View Avenue in addition to the amenity they create for the rear gardens of 70-80 St Johns Road.

Given the proximity of the proposed plot 1 to these trees, a tree survey and Arboricultural Impact Assessment are necessary to estimate the development's impact on these trees. However, an AIA could be secured via a pre-commencement condition.

The general layout of the site and the allocated share to soft landscaping is positive and the proposal is likely to be supported in terms of landscaping.

However, there are a number of questions that need answered and a dedicated Landscape Plan must be provided before the application is formally supported, such as what type of vegetation is proposed. However, once again Officers consider that such landscaping principles could be secured via condition, given there is indication on the submitted plans that sufficient landscaping could be achieved, subject to final details.

On this basis, the application is not considered to be refusable under Policy EN14 of the Reading Borough Local Plan (2019).

f) Contaminated Land

The development lies on the site of an historic laundry which has the potential to have caused contaminated land. The proposal may introduce new pollutant linkages between contaminated land and sensitive receptors at the site.

The developer is responsible for ensuring that development is safe and suitable for use for the intended purpose or can be made so by remedial action.

A contaminated land assessment should be submitted to give an indication as to the likely risks and to determine whether the site is suitable for the proposed use or can be made so by remedial action. This can be secured via condition to ensure the proposal is compliant with policy EN16 of the Local Plan.

g) Transport Matters

The site is located within the Zone 2, the primary core area but on the periphery of the central core area which lies at the heart of Reading Borough, consisting primarily of retail and commercial office developments with good transport hubs. The road mainly consists of residential terraced properties.

In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide parking provision of 2 spaces for each of the 3 bedroom dwellings and 1 space for the 2 bedroom dwelling.

All assigned parking within private front gardens, 2 spaces each for the 3 bedroom and 1 space for the 2 bedroom dwelling.

There is currently a dropped kerb the full extent of the frontage of the site, however a continuous dropped crossing would not be appropriate for the development and therefore kerbs will need to be raised up for the green areas between the dropped kerbs. Whilst no plans were provided showing this, Officers consider this matter could have been dealt with via condition.

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 which should be covered by condition and informative, 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.

The Council's Local Transport Plan 3 Strategy 2011 - 2026 includes policies for investing in new infrastructure to improve connections throughout and beyond Reading which include a network of publicly available Electric Vehicle (EV) charging points to encourage and enable low carbon or low energy travel choices for private and public transport. The Council's Local Plan was adopted in November 2019 and this includes a requirement at Policy TR5 for each new house to be provided with an electric charging point. Whilst these details have not been provided, this could be dealt with via condition.

In accordance with the Council's current standards 2 cycle storage spaces would be required for each dwelling. It is proposed that secure cycle storage is to be provided in garden outbuildings which would be acceptable for a development of this nature.

Bin storage and bin collection areas have not been illustrated. Bin storage should not be located further than 15m from the access point of the site to avoid the stationing of service vehicles on the carriageway for excessive periods and should comply with Manual for Streets and British Standard 5906: 2005 for Waste Management in Buildings to avoid the stationing of service vehicles on the carriageway. It is assumed that refuse collection will be kerb side, as is the case for other dwellings on St Johns Road, however the storage/collection areas need to be illustrated on plans or could be dealt with via condition.

The demolition of the existing property and construction of the proposed dwellings will be subject to a Construction Method statement (CMS).

In principle there are no Transport objections, although further detail on some matters were required. However Officers consider that the matters raised by Transport Officers could have been dealt with via condition had the application been acceptable and therefore will not form a reason for refusal. Based on this, the proposal is deemed acceptable in relation to Policies TR3, TR5 and CC5 of the Reading Borough Local Plan (2019).

h) Flooding

The site is located within Flood Zone 3(b) which is classified as 'Functional Floodplain' - land where water has to flow or be stored in times of flood). As such the principle of the development must also be assessed in terms of flood risk.

Policy EN18 (Flooding and Sustainable Drainage Systems) reflects the general requirements set out within the National Planning Policy Framework (NPPF) with regard to flooding. The policy states that:

Development will be directed to areas at lowest risk of flooding in the first instance, following the Sequential and Exceptions Test set out in the NPPF, and taking into account the effects of climate change. It will consider flooding from all sources, including fluvial, surface water, groundwater and sewer flooding. Where development in areas at risk of flooding is necessary, it will not reduce the capacity of the flood plain to store floodwater, impede the flow of floodwater or in any way increase the risks to life and property arising from flooding. Wherever possible, development should be designed to reduce flood risk, both on- and off-site.

As the site is located within Flood Zone 3B and a residential use in Flood Zone 3 is classified as 'more vulnerable' development, the development is subject to both the Sequential and Exception tests.

No Sequential Test and Exception Test have been provided to support the application. Sequential and Exceptional Tests are required as per Policy EN18 and the NPPF to ensure that it has been explored whether development can be directed to areas at lowest risk of flooding in the first instance. As such, this exercise has not been undertaken by the applicant and therefore potential alternative sites have not been considered and therefore it has not been demonstrated that this site is the most suitable in terms of flood risk. This would therefore form a reason for refusal.

A Flood Risk Assessment was submitted. The Environment Agency have failed to formally comment on the proposal but did advise:

We've reviewed the application and based on a reduction in overall footprint and suitable design of internal floor levels we would be looking to condition certain design elements as proposed within the Flood Risk Assessment

Given that the EA have not raised objection to the application, it is considered that on balance the submitted Flood Risk Assessment suitably demonstrates how flood risk will be managed. However, as mentioned above, the applicant has not demonstrated that this site is most suitable for residential use through providing a sequential and exception test as a starting point. The proposal is therefore contrary to Policy EN18 of the Local Plan and paragraph 161 of the NPPF.

i) Sustainability

The applicant has provided details of sustainable construction. Measures include fitting with all A-rated appliances. Further measures, as outlined in Policy H5, would have been secured via condition should the proposal had been acceptable in other regards. These include:

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

j) Affordable Housing and CIL

In accordance with Policy H3 (Affordable Housing) the proposed development, being for 7 additional dwelling, would be liable for an off-site affordable housing contribution equivalent of 20% of the GDV of the development.

The applicant provided a viability assessment concluding. However given the outstanding matters with the application, and the applicant had not paid for the viability appraisal to be reviewed by the Council, Officers did not proceed with reviewing this. As such, it has not been demonstrated that the proposal is acceptable in relation to Policy H3 of the Local Plan, however an informative will be included to advise the applicant that this reason for refusal could be overcome at appeal, in the context of an acceptable scheme in all other respects, should the assessment be deemed agreeable by the Council's valuers and the fee for review being paid.

The proposal is liable for the Community Infrastructure Levy.

Conclusion

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 planning permission is recommended to be refused.

Recommendation: REFUSE permission for the following reasons:

1. By virtue of its height and stark design and roof form, the proposed terrace would be visually prominent and out of keeping with the general scale of terraces found elsewhere on St Johns Road. Furthermore, the proposed single dwelling, by reason of its forward projection, resulting in a jarring and cramped relationship between the single dwelling and terrace, which is not found elsewhere on the road, is considered to be indicative of an overdevelopment of the site. In addition, the proposed frontage of the site would be dominated by parking spaces to a degree that is not consistent with other frontages on St Johns Road. As such, the proposal fails to enhance or preserve local character, contrary to Policy CC7 of the Reading Borough Local Plan (2019).
2. By virtue of its height and proximity to the boundary with Plot 1, the proposed terrace (Plots 2-7) would result in a visually dominant and overbearing structure when viewed from the rear garden of Plot 1. Consequently, this would also result in substantial overshadowing to the garden space of this plot. The proposal is therefore contrary to policy CC8 and H10 of the Reading Borough Local Plan (2019).
3. As a result of planning application ref. 211028 (conversion of office to residential) which could be implemented at 70 South View Avenue, Caversham, Reading, RG4 5BB, the rear amenity spaces of Plots 2-7 would be overlooked by habitable rooms of these potential residential neighbouring dwellings. As such, future occupiers would result in a loss of privacy in the amenity spaces due to long, interrupted views from 70 South View Avenue. The proposal is therefore contrary to policy CC8 and H10 of the Reading Borough Local Plan (2019).
4. In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, or a Viability Assessment to demonstrate the proposal could not provide a policy compliant level of affordable housing, the proposal fails to contribute adequately to the housing needs and amenity requirements of Reading Borough, contrary to policy H3 of the Reading Borough Local Plan (2019) and the Council's Adopted Affordable Housing Supplementary Planning Document (2021).
5. In the absence of an Extended phase 1 habitat & protected species scoping survey, the likely impact the proposal would have on species, including bats, cannot be determined (which are a protected species and a material consideration in the planning process) As such, the proposal is not compliant with policy EN12 of the Reading Borough Local Plan (2019).
6. The applicant has failed to provide a flooding sequential and exception test to demonstrate that it has been explored whether development could be directed to areas at lowest risk of flooding, given the site is located within Flood Zone 3b. As such, it has not been evidenced that this is the most suitable development site for the proposal. The proposal is therefore contrary to Policy EN18 of the Reading Borough Local Plan and paragraph 161 of the NPPF (2021).

Informatives:

1. Plans/ Documents considered
2. Pre-app
3. Positive and Proactive - Refusal