

App No.: 200919/FUL

Address: 40-68 Silver Street

Proposal: Erection of part 2 and part 4 storey (plus basement level) buildings to provide 71 student studio rooms (sui generis use class) with associated ancillary space, access and landscaping works. (Resubmission of application 190449).

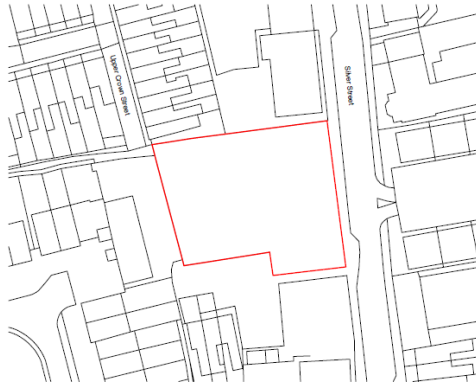
Target Decision Date: 14/1/2022 (Ext)

Major - Delegated (Refusal)

1.0 SITE DESCRIPTION & BACKGROUND

- 1.1 The application site is on the western side of Silver Street and is now a cleared site previously occupied by a tall single storey commercial building (40 Silver Street) and a two-storey l-shaped commercial building (62-68 Silver Street).
- 1.2 To the west of the site is Rimaud House, which is a 3 no. storey residential block at an elevated position approximately 2m higher than the application site. At the north-west, the site immediately adjoins no 69 Upper Crown Street, a two-storey end of terrace house. Immediately to the north is a flatted scheme called Platinum Apartments which is 2.5 storeys with a third floor of accommodation in the roof, which has private amenity space and parking to the rear (west). To the south of the site is a further residential block of flats and the gardens serving Hawk Cottages.
- 1.3 Silver Street is a one-way street, with vehicles passing in a north to south direction and there is a layby in front of the site. Formerly, the vehicular access to the site was via two dropped kerbs at either end of the site's frontage, along with pedestrian access.
- 1.4 The area is predominantly residential with a mix of traditional terraces and semis, but there are some commercial premises in the area. There is no one single prevailing architectural style which characterises the area, but the majority of the buildings are traditional brick and tile construction. There are a range of different building styles, heights, ages of property and materials, with large scale modern flat blocks located north of the site towards the town centre, and around the site 3-4 storey flats, 2-3 storey courtyard offices (Windsor Square) and to the south 2-3 storey Victorian terraces.
- 1.5 Opposite the site is the completed and occupied student scheme for 61 units also owned by the applicant and is a part 4 and part 3 storey building of modern appearance.
- 1.6 The site lies within an area that has less than 10% tree canopy cover as identified within the Council's adopted Tree Strategy and within an Air Quality Management Area (AQMA) (Policy EN15) and area of Archaeological Potential as identified within the Council's Local Plan (2019) and associated Proposals Map.

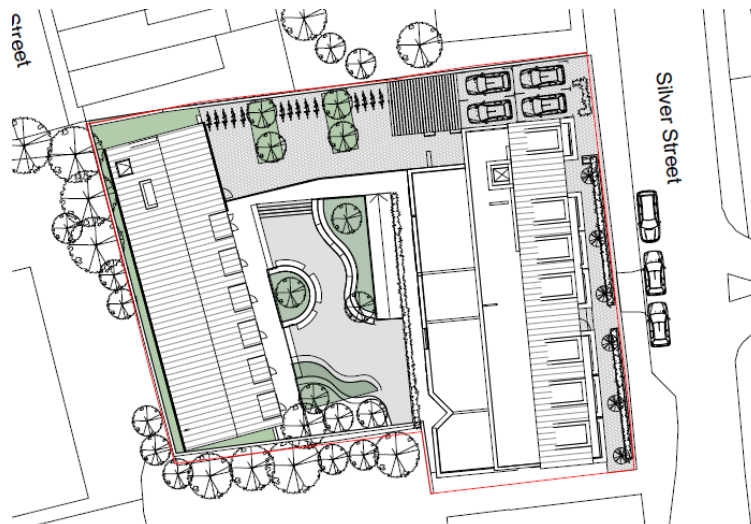
Location plan not to scale



2.0 PROPOSAL

- 2.1 Full Planning Permission is sought for the erection of 2 buildings, one of 2 storeys and one of 4 storeys (plus basement level) to provide 71 student studio rooms. This follows the refusal of a 79-student room scheme (190449), dismissed at appeal (Jan 2021). An earlier 62 student studio scheme at part of the site (no.40 Silver Street) was refused (ref: 172118) and also dismissed at appeal (Oct 2018).
- 2.2 The scheme would create two main blocks (A-front; B-rear), with a linking block at lower ground floor level only. Blocks A & B would run roughly parallel to each other between 16.07 (north) and 13.22 (south) metres apart, with the taller Block A on the Silver Street frontage.
- 2.3 The proposed external surfaces are shown to be fair faced brick, standing seam metal roof and dark grey/ brown aluminium window frames.

Proposed Site Plan





② Street Elevation - Silver Street long elevation
1:200



Community Infrastructure Levy

- 2.4 The development would be liable for the Community Infrastructure Levy, and if permission were to be granted CIL at a rate of £156.71 per sqm would be charged (2021 rate).
- 2.5 The following plans and supporting documents have been assessed (including amended):

Received 1st July 2020 (unless otherwise stated):

- Existing Location Plan - Drawing no: PL_003
- Existing Site Plan - Drawing no: 10_005
- Proposed Site Plan - Drawing no: PL_004 Rev C
- Lower Ground Floor Plan - Drawing no: PL_200 Rev C
- Ground Floor Plan - Drawing no: PL_201 Rev E, received 1st October 2020
- 1st Floor Plan - Drawing no: PL_202 Rev D
- 2nd Floor Plan - Drawing no: PL_203 Rev C, received 28th September 2020
- 3rd Floor Plan - Drawing no: PL_204 Rev D
- Roof Plan - Drawing no: PL_205 Rev D
- Elevations Sheet 1 - Drawing no: PL_206 Rev C
- Elevations Sheet 2 - Drawing no: PL_207 Rev C
- Elevations Sheet 3 - Drawing no: PL_208 Rev C
- Elevations Sheet 4 - Drawing no: PL_209 Rev B
- Section A - Drawing no: PL_212 Rev C
- Block B Section - Drawing: PL_214 Rev B
- Solar Study - Drawing no: PL_210 Rev A
- Street Elevation - Silver Street - Drawing no: PL_213 Rev B
- Landscape Layout - Lower Ground Floor - Drawing no: 102 Rev E, received 5th November 2020
- Hardworks - Lower Ground Floor - Drawing no: 104

- Hardworks - Ground Floor - Drawing no: 105
- Ground Floor - Landscape Layout - Drawing no: 103 Rev H, received 5th November 2020
- Typical Revised Planter Details - Drawing no: 301 Rev A, received 5th November 2020
- Planting Plan - Ground Floor - Drawing no: 202 Rev C, received 5th November 2020
- Planting Plan - Lower Ground Floor - Drawing no: 201 Rev B, received 5th November 2020

Other Documents received 1st July 2020 (unless otherwise stated):

- Air Quality Assessment, Document ref: AQ0684, dated October 2019, prepared by Gem Air Quality Ltd
- BREEAM Pre-Assessment, Document ref: PR7877, prepared by ERS Consultants Ltd
- Combined Phase 1& Phase 2 Ground Investigation Report, document ref: 1227-003-002, dated 26/9/2019, prepared by Westlakes Environmental
- Daylight and Sunlight Study, dated September 2019, prepared by Delva Patman Redler
- Design and Access Statement, version 1.7, dated April 2020, prepared by OEA
- Draft Unilateral Undertaking (S106)
- Drainage Strategy, Document ref: 1227-002-005, dated 20th April 2019, prepared by Westlakes Environmental
- Letter from Homes for Students dated 5th March 2020
- Letter from Homes for Students dated 4th November 2019
- Planning and Heritage Statement, dated June 2020, prepared by GW Planning
- Purpose Built Student Accommodation Management Plan, dated March 2020, prepared by Homes for Students
- Reading Demand Study: Demand Assessment and Market Analysis, prepared by Knight Frank

3.0 PLANNING HISTORY

40 Silver Street

150885/FUL - The proposed redevelopment of 40 Silver Street, demolition of existing light industrial building and erection of 14 flats (8x2bed & 6x1 bed, including 14 parking spaces and landscaping - Approved 21/3/16

162232/PREAPP - Student accommodation comprising 67 studio rooms with ancillary areas. Total floor space 2432m² - Observations sent 20/3/17

172218/FUL - Demolition of existing building and erection of a part 3 and part 4 storey (plus basement level) building to provide 62 studio rooms (sui generis use class) with associated ancillary space and landscaping works - Refused 9/2/18. Reasons:

“1. The proposed development due to the height and bulk of Block A, the cramped layout between the blocks and the dominating design would result in the site appearing over developed and a harmful addition to the streetscene, of detriment to the character and appearance of the area. As such the proposal is contrary to Policy CS7 of the Reading Borough LDF Core Strategy and para. 17 of the NPPF.

2. *The proposed development due to the height, position and bulk (of Block A in particular) will result in the loss of amenity for neighbouring residents through overlooking, loss of privacy, loss of light and noise and disturbance arising from the use of this small site to accommodate 62 students. As such the proposal is contrary to Policy DM4 of the Reading Borough Sites and Detailed Policies Document.*

3. *The proposed development would lead to a concentration of student accommodation in this area that would detrimentally impact on the lives of adjoining occupiers and would fail to provide a mixed and balanced community contrary to the aims of Policy CS15, NPPF para.50 and emerging Policy H12.*

4. *In the absence of a completed legal agreement to secure:*

i) an acceptable mitigation plan or equivalent contribution towards the provision of Employment, Skills and Training for the construction phase of the development,

ii) a contribution of £5,000 towards the changes to the parking restrictions to facilitate access into the development,

iii) a travel plan and highway alterations,

iv) a restriction on occupancy to students only, and

v) implementation of the student accommodation management plan;

the proposal fails to provide adequate controls over the use of the development, including its highways and other travel impacts, contrary to Policies DM4, DM12, CS20, CS22, CS23 and CS24 and the Revised Parking Standards and Design SPD 2011. The proposal also fails to contribute adequately to the employment, skills or training needs of local people with associated socioeconomic harm, contrary to Policies CS3, CS9, DM3 and the Employment Skills and Training SPD (2013)."

This was appealed - Ref: APP/E0345/W/3199747 - Dismissed 29/10/18

180725/DEM - Application for prior notification of proposed demolition - Given 25/2/19

182150/PREAPP - Erection of a three storey (plus basement level) building to provide student studio rooms. Approx 1700m² GEA. Comments from Design Review Panel provided 1/2/19 and other consultee comments 8/3/19

40-68 Silver Street

190449/FUL - Erection of part 1, part 2 and part 4 storey (plus basement level) buildings to provide 79 student studio rooms (sui generis use class) with associated ancillary space and landscaping works - Refused 11/9/2019 for the following reasons:

1. *The proposed development, due to the combination of the bulk and height of Block A, the spacing between Block A and B, and the dominating design with development on three sides of the plot, would result in the site appearing over developed and a harmful addition to the streetscene, of detriment to the character and appearance of the area. As such the proposal is contrary to Policy CS7 of the Reading Borough LDF Core Strategy and Section 12 of the NPPF.*

2. *The proposed development, due to the height, position and bulk (of Block A in particular), will result in the loss of amenity for neighbouring*

residents through overlooking, loss of privacy, loss of light and noise and disturbance arising from the use of this small site to accommodate 79 students. As such the proposal is contrary to Policy DM4 of the Reading Borough Sites and Detailed Policies Document.

3. The proposed development, due to the relationship between the Blocks and the overall layout and movement through the site, will result in detriment to the amenity of proposed residents in terms of how they would experience the external courtyard space and internal space through overlooking, loss of privacy and noise and disturbance. As such the proposal is contrary to Policy DM4 of the Reading Borough Sites and Detailed Policies Document.

4. The proposed development would lead to a concentration of student accommodation in this area that would detrimentally impact on the lives of adjoining occupiers and would fail to provide a mixed and balanced community contrary to the aims of Policy CS15, NPPF para.91 and emerging Policy H12.

5. It has not been clearly demonstrated how this proposal for Purpose Built Student Accommodation (PBSA) meets an identified need that cannot be met on those sites identified within the Emerging Local Plan for student accommodation or on sequentially preferable sites. The loss of this site to student accommodation would further reduce the Council's ability to meet its housing need within its own boundaries. The proposal therefore does not comply with Policy H12 of the Emerging Local Plan and conflicts with the aims of the NPPF para.68.

6. Insufficient information has been submitted to demonstrate that the scheme would be appropriate in the Air Quality Management Area and is therefore contrary to Policy CS34 of the Reading Borough Core Strategy and Policy DM19 of the Reading Borough Sites and Detailed Policies Document.

7. The layout does not comply with the Local Planning Authority's standards in respect of vehicle parking which could result in on-street parking on Silver Street during the arrivals and departure period at the beginning and end of term. This would adversely affect road safety and the flow of traffic in conflict with Core Strategy Policy CS24 and Sites and Detailed Policies Document Policy DM12.

8. In the absence of a completed legal agreement to secure:

i) an acceptable mitigation plan or equivalent contribution towards the provision of Employment, Skills and Training for the construction phase of the development,

ii) a travel plan and highway alterations,

iii) a restriction on occupancy to students only,

iv) implementation of the student accommodation management plan, the proposal fails to provide adequate controls over the use of the development, including its highways and other travel impacts, contrary to Policies DM4, DM12, CS20, CS22, CS23 and CS24 and the Revised Parking Standards and Design SPD 2011. The proposal also fails to contribute adequately to the employment, skills or training needs of local people with associated socio-economic harm, contrary to Policies CS3, CS9, DM3 and the Employment Skills and Training SPD (2013).

Appeal into 190449 ref: APP/E0345/W/20/3248604 - Dismissed 15th January 2021 upholding the following refusal reasons:

No. 2 - with respect to the harmful effect on the outlook and loss of light to the windows in the side of Platinum House; **No. 3** - In terms of the ground floor student warden unit, which would suffer from excessive noise and disturbance, to the detriment of the living conditions of the occupant; **No.5** and **No.7**

201766/FUL - Erection of 4 storey and 2 storey buildings to provide 39 private rental homes with associated communal facilities, basement parking, access and landscaping works - Pending consideration.

62-68 Silver Street

04/01465/FUL (041374) - Renovation and extension of existing building to provide 4 flats and a ground floor B1(a) office - Refused 2/2/2005

06/00708/FUL (061413) - Renovation and extension of existing building to provide 4 flats and B1(a) office on ground and first floor - Approved, subject to S106 legal agreement, 10/8/2006

11/01016/PREAPP (111690) - Pre-application advice for conversion to student accommodation - Observations sent 7/9/2011

11/01917/FUL (110915) - Renovation and extension of existing building to provide student accommodation (16 no. self-contained rooms) - Approved, subject to S106 legal agreement, 28/09/2012

171165/FUL - Conversion of existing building to residential use plus additional two floor of accommodation to provide 6no. two bedroom flats plus parking, cycle storage and bin storage - Withdrawn 20/3/19 (on submission of current application 190449)

190242/DEM - Application for prior notification of proposed demolition - Given 17/3/19

79 Silver Street - student site on opposite side of Silver Street

170785/FUL - Demolition of existing building and erection of a part 3 and part 4 storey (plus basement level) building to provide 56 student studio rooms (sui generis use class) with associated ancillary services and landscaping works - Approved, subject to S106 legal agreement, 10/1/2018

180075/VAR - Demolition of existing building and erection of a part 3 and part 4 storey (plus basement level) building to provide 56 student studio rooms (sui generis use class) with associated ancillary services and landscaping works without complying with condition 2 (approved plans) of planning permission 170685 to introduce a larger basement area to allow an increase to 61 student studio rooms - Approved, subject to S106 legal agreement, 21/6/2018

181150/NMA - Non-Material Amendment to planning consent 180075 for changes to approved plans at -1 level to allow for the merging of 2 studios in to 1 flat and new studio flat in place of sub-station. No additional rooms provided - Agreed 6/8/2018

181819/NMA - Non-Material Amendment to planning consent 180075 VAR for changes to approved plans to allow the building to be clad in part brick/part render. - Agreed 14/11/2018

191023/NMA - Non-material amendment to planning application 180075 for changes to positioning of approved roof windows - Agreed 15/8/2019.

4. CONSULTATIONS

Berkshire Archaeology

- 4.1 No. 40 Silver Street has previously been subject to archaeological desk-based assessment, exploratory archaeological investigation, detailed excavation and a programme of analysis and reporting that includes a draft publication report by Thames Valley Archaeological Services. This draft report will be published shortly so that the archaeological results will be in the public domain.
- 4.2 This programme of archaeological work has demonstrated that there was evidence for medieval industry and occupation from the 12th century AD onwards below No. 40 Silver Street. The excavated remains included two tile kilns serving the medieval town, Reading Abbey, and possibly markets further afield. Following the abandonment of the kilns, probably in the early 14th century, a late medieval building was constructed on the Silver Street frontage with widespread pit digging to the rear.
- 4.3 The programme of archaeological work that has been completed to date means that no further archaeological mitigation is required, should this scheme be permitted. No further action is therefore required in relation to the buried archaeological heritage.

RBC - Ecology

- 4.4 No objections on ecological grounds - the proposed development is in a predominantly urban location and is unlikely to affect protected species. However, in accordance with paragraph 180 of the NPPF, which states that “opportunities to improve biodiversity in and around developments should be integrated as part of their design” a condition should be set to ensure that enhancements for wildlife, particularly swifts, are provided within the new development.

Planning Officer note: amended plans were submitted (28/9/20 1717_PL_203-C) showing suggested locations for 4 no. swift bricks in the North gable wall.

RBC - Environmental Protection & Nuisance

- 4.5 Noise impact on development - A noise assessment should be submitted in support of applications for new residential proposed in noisy areas.
- 4.6 The noise assessment will be assessed against the recommendations for internal noise levels within dwellings and external noise levels within gardens / balconies in accordance with BS 8233:2014 and WHO guidelines for Community Noise. The report should identify any mitigation measures that are necessary to ensure that the recommended standard is met.
- 4.7 Where appropriate, the noise assessment data should also include noise events (LAMax) and the design should aim to prevent noise levels from noise

events exceeding 45dB within bedrooms at night. Noise levels above 45dB are linked with sleep disturbance.

Internal noise criteria (taken from BS8233:2014)

Room	Design criteria	Upper limit
Bedrooms (23:00 to 07:00)	<30dB LAeq,8hour	
Living rooms (07:00 - 23:00)	<35dB LAeq,16hour	
Gardens & Balconies	<50dB LAeq,T	<55dB LAeq,T

- 4.8 As a noise assessment has not been submitted, and the proposed development is by a busy road, I recommend a condition is attached to any consent requiring a noise assessment to be submitted prior to commencement of development and any approved mitigation measures implemented prior to occupation to show that recommended noise levels in the table above can be met.
- 4.9 The noise assessment will need to identify the external noise levels impacting on the proposed site.
- 4.10 Noise mitigation is likely to focus on the weak point in the structure; glazing. Given that the acoustic integrity would be compromised should the windows be opened, ventilation details must also be provided, where mitigation relies on closed windows. Ventilation measures should be selected which do not allow unacceptable noise ingress and should provide sufficient ventilation to avoid the need to open windows in hot weather, however non-openable windows are not considered an acceptable solution due to the impact on living standards.
- 4.11 I recommend the following conditions: Sound Insulation from External Noise
- 4.12 Noise between residential properties - sound insulation of any building - an informative is suggested.
- 4.13 Air Quality - Increased exposure - The air quality assessment submitted with the application demonstrates that the air quality at the development will be within the EU limit values therefore no mitigation is required.
- 4.14 Contaminated Land - The phase 1 and 2 contaminated land investigation has noted some sources of contamination in made ground which will require removal and residual made ground not to be used in areas of landscaping. The remediation strategy is included within the report. Recommended conditions below, which are required to ensure that future occupants are not put at undue risk from contamination: Implementation of Approved Remediation Scheme; Reporting of Unexpected Contamination.
- 4.15 Construction and demolition phases - We have concerns about potential noise, dust and bonfires associated with the construction (and demolition) of the proposed development and possible adverse impact on nearby residents (and businesses).
- 4.16 Fires during construction and demolition can impact on air quality and cause harm to residential amenity. Burning of waste on site could be considered to be harmful to the aims of environmental sustainability.

4.17 The following conditions are recommended: Construction Method Statement; construction hours of working; No burning of waste

4.18 Bin storage - rats - There is a widespread problem in Reading with rats as the rats are being encouraged by poor waste storage which provides them with a food source. Where developments involve shared bin storage areas e.g. flats and hotels there is a greater risk of rats being able to access the waste due to holes being chewed in the base of the large wheelie bins or due to occupants or passers not putting waste inside bins, or bins being overfilled. It is therefore important for the bin store to be vermin proof to prevent rats accessing the waste. I recommend a condition regarding the submission and approval vermin proof bin storage.

RBC - Natural Environment (Trees)

4.19 The comments on the originally submitted information was as follows: As you will know from previous planning application comments given for this site, tree planting is important, particularly on the frontage. With reference to the current tree strategy, this sets out the council's priorities for tree planting and management. Objective 2 of the tree strategy refers to enhancing the appearance of important transport routes and corridors of which Silver Street is one: Objective 3 refers to the enhancement of areas lacking tree cover (the site is within an area that has been identified within the strategy as having 10% or less of tree canopy cover and as such is a priority area for tree planting).

4.20 With reference to: Planting Plan - Lower Ground Floor 2892 201 A; and Planting Plan - Ground Floor 2892 202 A this includes the planting of 13 trees, 6 of which are on the frontage - the total planting comprises of 4 Birch and 6 Amelanchier. Whilst the principle of the planting proposed, in terms of quantity, is acceptable, there are some concerns with the proposals as following:

- Lack of species diversity - 13 trees are proposed of only 2 species. Inclusion of further species is required
- Multi-stem Amelanchier on the frontage - given the limited space (width) available and the need to avoid conflict with the building, I would suggest a single stem, more upright tree is proposed and of a greater ultimate height
- Lower ground floor - plan shows 3 trees; table only specifies 2.
- Ground Floor - trees are proposed at 2.5-3m in height which is only 6-10cm girth which is not adequate (girth is not stated and should be). A minimum 10-12cm girth and 3m in height should be proposed (as it is on Lower ground floor)
- Ground Floor & LG Floor - the 'notes on planting' inexplicably refer to tree pits for 'select standard' and 'semi-mature' trees, neither of which are currently proposed on the ground floor nor the latter on the lower ground floor; the former being the minimum required.
- Ground Floor & LG Floor - Watering specification in the 'notes on planting' inexplicably refers to 20-25cm girth trees, which are not proposed. The water specification is not, in any case, acceptable. All trees will need watering weekly through the first 3 growing seasons (approx. April to Oct) following planting and of an appropriate amount: approx. 20-25 litres weekly for 10-12cm girth trees.
- Ground floor & LG floor - tree pit specification in 'notes on planting' - these refer to the use of tree stakes and ties, whereas the plans refer to the use of underground guying in the legend.

- Tree pits - these will need to demonstrate that a sufficient soil depth and volume can be provided for all trees - depth should be min 900mm (combination of sub & topsoil); volume will depend on species. Section plans for trees pits, i.e. tree pit drawings, should be provided which will be particularly useful for the courtyard given the raised planters proposed.
- Ground preparation. Given the existing ground conditions, 'notes on planting' should include a more comprehensive description of ground preparation for planting.

4.21 Details are inconsistent and therefore appear not well considered. Whilst the landscape details could be dealt with via condition, given the number of issues raised, it would be prudent to seek amended plans prior to a decision - the tree pits specification (depth and volume) are particularly important.

4.22 With reference to the Indicative Drainage layout WL-1227-100 P2, I am concerned about the conflict between the proposed routes and planting, particularly on the frontage which will at best severely limit tree root spread and could possibly make tree planting in the ground unfeasible. Potential conflicts within the courtyard also need to be considered and this should all be re-evaluated prior to a decision.

4.23 **Planning Officer Note:** Amended planting plans were submitted (28/9/20), which amended the tree species and the trees at the frontage to be within raised planters, as a means, set out by the applicant, to allow adequate separation from the proposed drainage. The Natural Environment Officer provided further comments related to tree species, tree planter specifications and maintenance comments, however, was not objecting to the scheme on landscape grounds. Had the scheme been acceptable overall matters could have been addressed through suitably worded conditions.

4.24 It should be noted that an alternative proposal was also presented by the applicant to show 3 trees within build outs between parking bays rather than within the site boundary as suggested by the agent as having a "*much greater boulevard effect*" and to provide space for larger trees. The Natural Environment officer advised that the default position should be planting within the site, that there is no 'boulevard effect' and that even if planting within the parking bays was "*deemed to be feasible, the process achievable and sufficient funds secured for future maintenance, the trees are at a greater risk in the highway hence this option should be a last resort IF the applicant demonstrates that tree planting within the site is not viable.*" This view was also supported by the Parks officer and in addition their view, contrary to that put forward by the applicant, is that "*the closer a tree to the road, the smaller (or more regularly pruned) its canopy needs to be. The benefits conferred by a tree generally increase with canopy volume. Interplanting parking spaces on the highway would necessitate the planting of small trees for vehicle and pedestrian clearance.*"

RBC - SUDS

4.25 The applicant has provided a drainage strategy but this only confirms that the proposal will improve / reduce the run off for a 1 in 100 year event however, the National Standards requires assessments of the 1 in 1 year event and the 1 in 30 year event. This has not been assessed and as such the proposal is contrary to local and national policy and I therefore object.

RBC - Transport

- 4.26 A similar proposal for student accommodation was considered under application no. 190449 which was refused in September 2019. This is a resubmission of application 190449 reducing the overall number of student rooms from 79 to 71 with other refinements to the scheme design.
- 4.27 The application site is outside the town centre area but is within close proximity to frequent premier bus routes that run to and from the town centre and Reading University. The site is therefore accessible to good public transport links, town centre services and employment areas.
- 4.28 The A327 Silver Street is part of the “A” road network carrying between 9,000 and 10,000 vehicles a day. Silver Street has “No Waiting” parking restrictions (DYL) preventing on-street parking and peak hour loading bans between 8.15-9.15am and 4.00-6.15pm. A layby currently runs across the site frontage and there are currently two access points which are protected by “No Waiting” parking restrictions (DYL). The layby is currently unregulated

Parking Provision

- 4.29 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. The parking standards set for Halls of Residence located in this zone are 1 space per FTE member of staff and no requirements for students, however, there are no adopted parking standards for student accommodation which are provided “off campus” and operate as independent providers of higher education accommodation. Therefore, an application of this type is likely to be considered on its own merits considering local circumstances including access to public transport provisions and the availability of parking and on-street regulations.
- 4.30 The Design and Access Statement indicates the management of the two student housing schemes at 79 and 40-68 Silver Street site will involve a single (full time) employee working across these two sites which are directly opposite each other. The employee will have some support from nominated student wardens (typically older/ postgraduate students) living within each site.
- 4.31 The development will operate with ‘no-car’ leases precluding students from bringing a car to the site (or to central Reading) which complies with the Councils parking policy. However, there are 4no. (tandem) off street parking spaces provided for staff parking/maintenance. These are primarily provided to be used (under management supervision) for loading and unloading by students at the start and end of their academic year. It is also stated that these spaces can also be used for maintenance and delivery vehicles during the rest of the year.

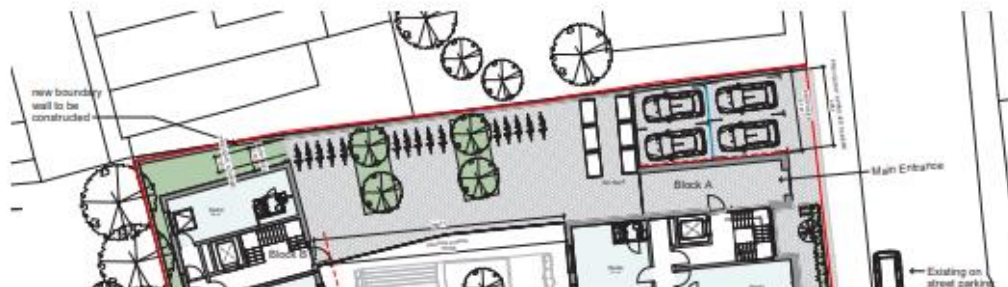
Arrival & Departure

- 4.32 Given that students will be prohibited from bringing vehicles to the site, the proposed uses would attract very little in the way of vehicular movements. However, the peak demand for parking spaces will be during the arrival and departure periods when students are moving into and departing from the site.

- 4.33 A Student Management Plan has been submitted with this application which outlines the move in process at the start and end of term times. Student arrivals will be a managed process over two weekends each academic year. The available parking spaces at the front of the site will be available for loading / unloading on move in and move out days. A pre-booked timeslot approach will be implemented by the management team to use the parking spaces at the front of the site during the moving in period to facilitate the process and minimise the highway impact. This complies with the strategy approved for 79 Silver Street and other student accommodation sites within the central Reading area.

Access & Servicing

- 4.34 A layby currently runs across the site frontage and there are currently two access points which are protected by “No Waiting” parking restrictions (DYL). The development proposals would retain the northern dropped kerb access for vehicular access to the on-site parking spaces. The existing southern access onto Silver Street should be stopped up and the footway reinstated to line and level, this will be conditioned accordingly.
- 4.35 It is stated that a new boundary wall is to be constructed. In order to improve visibility of vehicles approaching on Silver Street, the boundary wall should not interfere with the visibility splay or sight line envelope, there should be no obstructions to vision such as fences, walls or vegetation over a height of 0.6 metres above carriageway level. In addition, this would also aid pedestrians seeing an emerging vehicle from the site access. Please ask the applicant to address this point.



- 4.36 On-street refuse collection will occur and a designated refuse store is provided at ground floor level. The refuse bins are stored externally outside of Block A, approximately 15m from the highway. The management team will bring the bins to a holding area at the front of the site on collection days to ensure easy collection by the refuse collectors. Once the bins have been collected they will be returned to the secure bin store at the rear of the site by the management team. This arrangement is acceptable.

Sustainable Travel

- 4.37 In accordance with the Council's Revised Parking Standards and Design SPD, the development would be required to provide 1 cycle parking space per 3 staff and 1 space per 5 students. Cycle storage should be in the form of a lockable covered store and equipped with 'Sheffield' type stands.
- 4.38 It is stated that residents arriving by bike will access the development via the main entrance and park bikes internally on Sheffield hoops. The cycle storage area will accommodate up to 20 bicycles. These facilities should be

provided in a secure and dry location but it is unclear what type of shelter is proposed. **This is still to be solved by way of condition.**

- 4.39 The development will be required to produce a Travel Plan to encourage safe, healthy and sustainable travel options. A framework Travel Plan has been outlined within the Student Management Plan which includes;

- The appointment of a travel Plan co-ordinator which will be funded for a period of five years after first occupation of the site.
- Provision of sustainable travel packs to all residents including bus network and cycle network maps
- Restrictions in tenancy agreement for ownership of car in Reading
- Annual student travel surveys
- Monitoring of cycle parking provisions

Construction

- 4.40 The applicant should be aware that there would be significant transport implications constructing the proposed building in this prominent location. Any full application would be conditioned to ensure a Construction Method Statement is submitted and approved before any works commence on-site.

- 4.41 Suggested conditions are as follows: Construction Method Statement; Cycle parking to be submitted and approved; Refuse and recycling details to be submitted and approved; Existing access to be stopped up and abandoned after the new access has been brought into use; No automatic entitlement to parking permits; Delivery and Servicing Plan; Arrival and Departure Management Plan; and a Travel Plan within 3 months of first occupation.

- 4.42 In terms of Section 106 heads of terms the following is recommended:

- To enter into a Section 106 agreement securing a Travel Plan to be submitted to and approved in writing by the Local Planning Authority before first occupation of any of the units of student accommodation.

The travel plan measures include:

1. The appointment of a travel Plan co-ordinator which will be funded for a period of five years after first occupation of the site.
2. Provision of sustainable travel packs to all residents including bus network and cycle network maps
3. Restrictions in tenancy agreement for ownership of car in Reading
4. Student travel surveys
5. Monitoring of cycle parking provisions

(iii) Public/ local consultation and comments received

- 4.43 59 properties were consulted by neighbour consultation letter. A site notice was displayed. Eleven objections were received from residents living in Platinum Apartments, Mount Pleasant, and Upper Crown Street summarised as follows:

- Student numbers are falling so where is there a need for more student accommodation?
- Anti-social behaviour.
- Insufficient parking.
- Noise from construction and use.

- Consider limiting to 20 students only.
- This development company have caused misery to the residents during the building of 79 Silver Street from noise, dust, debris, increased traffic, closed pavements, moved bus stops, anti-social builders, damage to property.
- Impact on infrastructure and community.
- Failure to provide a mixed and balanced community; the street is predominately made up of houses and flats which are occupied by single people, families and professionals. The social and work schedules of the Street's permanent residents differ from those of a transient student population. The character and atmosphere of the street will change with all the additional comings and goings and the term time activity and holiday down time fluctuations.
- There is an acute housing shortage and a need for affordable homes for young professionals and families
- The approval of 71 student studios directly opposite no. 79 will bisect and transform Silver St into a student enclave and this would contradict the Developer's statement which advocates "a dispersal of managed student accommodation developments." (Developer's Design Statement Section 2.8).
- By opting for student accommodation, the developer avoids having to fulfil planning obligations.
- The developer argues that by providing managed student accommodation that this would free up HMOs for local family use. However, the high specification of the proposed development will attract affluent students, and the HMO type student accommodation will still be in demand for those students on a tight budget. The proposed weekly amount quoted as £250-£325 is not affordable accommodation and above the means of an average UK student living on a maintenance loan capped at £8700pa (RBLP Public Examination Issue 7 Housing - Barton Willmore September 2018).
- Block A has been moved further from Platinum Apartments, compared to the refused scheme, and its height reduced, but it still overpowers the lower section of Platinum Apartments.
- The boxy "Victorian chimney shaped" dormers are not in keeping with the adjacent Hieatt Close's and the lower block of Platinum Apartments traditional roof lines.
- The results of the sunlight study still show that Platinum Apartments is overshadowed by the revised design of Block A and that 1 room "experiences a reduction below the BRE guidelines." As this room is a main living area it is a matter for concern. It is not environmentally friendly, cost effective or healthy to have to rely upon artificial lighting during the day time. Furthermore, the conclusions are based upon a false assumption that both side windows are in the same room.
- A centralised entrance would resolve the issue and distance neighbours from smoking and the noise of comings and goings.
- The plan indicates an uncovered refuse area along the boundary wall near to Flat 1 of Platinum Apartments. To avoid noise, odour and potential vermin this should be enclosed and more centrally located. Similarly, noise from student cyclists could be minimised if the store were more central.
- The high specification will attract students more likely to have a car. It is unclear how the management team will identify any lease infringements, and car ownership and legal parking away from the site

will not contravene any laws. Street parking is already at a premium in Katesgrove.

- The arrangements for moving in and out are unrealistic and inadequate and will cause inconvenience to the permanent residents and result in the unauthorised use of their parking facilities.
- In light of recent events (e.g. Covid, Brexit) the need for the development is questionable. (July 6th 2020 Guardian) a 50% drop in international student numbers; universities over estimating future student numbers (Guardian 4th April 2019); and a decline in the numbers of late teens in the UK has also reduced potential student numbers (Financial Times 20 April 2020, ft.com).
- If the development at 40-68 Silver Street is approved and later becomes financially unviable, due to the close proximity of this site an no. 79, there is a potential for 132 bed sits to be foisted upon the street. The social impact of this on the street would also be adverse and vast.

5.0 RELEVANT PLANNING POLICY AND GUIDANCE

5.1 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'.

5.2 The following local and national planning policy and guidance is relevant to this application:

National Planning Policy Framework (NPPF, 2021)
Chapter 5 - Delivering a Sufficient Supply of Homes

Reading Borough Local Plan (2019)

Policy CC1: Presumption in Favour of Sustainable Development

Policy CC2: Sustainable Design and Construction

Policy CC3: Adaptation to Climate Change

Policy CC5: Waste Minimisation and Storage

Policy CC6: Accessibility and the Intensity Of Development

Policy CC7: Design and the Public Realm

Policy CC8: Safeguarding Amenity

Policy CC9: Securing Infrastructure

Policy EN2: Areas of Archaeological Significance

Policy EN12: Biodiversity and the Green Network

Policy EN14: Trees, Hedges and Woodland

Policy EN15: Air Quality

Policy EN16: Pollution and Water Resources

Policy EN18: Flooding and Drainage

Policy H1: Provision of Housing

Policy H2: Density and Mix

Policy H3: Affordable Housing

Policy H5: Standards for New Housing

Policy H10: Private and Communal Outdoor Space

Policy H12: Student Accommodation

Policy TR1: Achieving The Transport Strategy

Policy TR3: Access, Traffic and Highway-Related Matters

Policy TR4: Cycle Routes and Facilities

Policy TR5: Car and Cycle Parking and Electric Vehicle Charging

Supplementary Planning Documents

Revised Parking Standards and Design (2011)

Revised Sustainable Design and Construction (2019)

Affordable Housing (2021)

Planning Obligations under S106 (2015)

Employment, Skills and Training (2013)

Other Documents

- Berkshire (including South Bucks Strategic Housing Market Assessment) Berkshire Authorities and Thames Valley Local Enterprise Partnership, Final Report, February 2016, prepared by G. L. Hearn
- Local Plan Background Paper (EV002), March 2018
- Council Response to Issue 7: Housing (EC009), September 2018
- University of Reading Response to Issue 7: Housing (EP017), September 2018
- University of Reading Statement of Common Ground (EC042), November 2018 [including Accommodation Strategy Part 1 - Gap Analysis July 2018-2028, prepared by Cushman & Wakefield; and Campus Capacity Study, prepared by Barton Willmore]
- Reading Borough Local Plan Consultation on Main Modifications (EM001) June 2019
- Technical Housing Standards - Nationally Described Space Standards (2015), DCLG
- Site Layout Planning for Daylight and Sunlight: a guide to good practice (BR 209), P. Littlefair, BRE, 2011

6.0 APPRAISAL

6.1 The main issues to be considered are:

- (i) Principle of use/location
- (ii) Design quality
- (iii) Density and mix
- (iv) Impact on amenities of adjoining occupiers and future tenants
- (v) Highways and transport issues
- (vi) Landscape & Ecology
- (vii) Other (S106, CIL, noise, air quality, drainage)

(i) Principle of use/location

6.2 The location of the site is dominated by residential uses with some business, commercial and community uses. It is an accessible location on the edge of the town centre and the redevelopment of this brownfield site would represent a sustainable development and an effective reuse of the site. This would accord with national and local policies, in particular Paragraph 11 of the NPPF, which sets out a presumption in favour of sustainable development, and Reading Borough Local Plan Policy CC1.

6.3 The previous use of the site was for employment, however the principle of the loss of the commercial use for residential use was accepted with the granting of planning permission for residential (15 flats) at 40 Silver Street

(now lapsed 150885/FUL) and student housing (16 units) at 62-68 Silver Street (11/01917/FUL).

6.4 RBLP Policy H12 addresses student accommodation and states that:

“New student accommodation will be provided on or adjacent to existing further or higher education campuses, or as an extension or reconfiguration of existing student accommodation. There will be a presumption against proposals for new student accommodation on other sites unless it can be clearly demonstrated how the proposal meets a need that cannot be met on the above sites.”

6.5 The policy contains a clear presumption against proposals for new purpose-built student accommodation (PBSA) on sites not prioritised by the RBLP, unless it can be clearly demonstrated how such a proposal would meet a need that could not be met on those identified sites or sequentially preferable sites. The application site is not considered to be a site which forms an extension of existing student accommodation. Refusal reason 5 of the previous scheme (190449 - as set out above in ‘Relevant Planning History’) was upheld by the Inspector into the appeal who stated as follows:

“10. The appeal site is not on or adjacent to an existing further or higher education campus. It also would not represent an extension or reconfiguration of existing student accommodation. I note the appellant’s intention that the appeal site and recently built student accommodation at 79 Silver Street would be managed by the same operator but in my view that would not amount to an extension of student accommodation in the sense meant by the Policy. It would be a separate, self-contained site with its own facilities and while there may be a benefit to sharing operating functions it would to all intents and purposes be a new complex of student accommodation.”

“12. The appeal scheme intends to provide high quality studio accommodation. However, whilst I have carefully considered the appellant’s representations it has not been demonstrated that the student accommodation proposed on the appeal site could not be provided on or adjacent to education campuses or other sites that meet the locational requirements of Policy H12.

13. There is capacity within sites identified in the Local Plan or which satisfy the locational requirements of Policy H12 to meet current anticipated demand for student accommodation. The need for expansion of student accommodation in the future over and above that already planned will be dependent on the growth of higher and further education institutions in the area, in particular the University of Reading. The supporting text to Policy H12 notes that this will be kept under review. I have not been provided with evidence that demand for student accommodation has significantly changed since adoption of the Local Plan.[officer emphasis]

14. While there is clearly a demand for student accommodation in the area, there is also a demand for general market housing. The Local Plan seeks to balance these competing demands in part by directing new student accommodation to sites on or adjacent to existing education campuses, leaving other suitable sites within the built-up area to meet general

housing needs. Policy H12 has been recently adopted following scrutiny as part of the Local Plan examination.

15. Student accommodation on the appeal site would conflict with the requirements of Policy H12 of the Reading Borough Local Plan 2019 in that the site is not on or adjacent to a further or higher education campus, is not an extension or reconfiguration of existing student accommodation and it has not been clearly demonstrated that the proposed student accommodation could not be met on a site that accords with Policy H12."

- 6.6 The Policy has also been tested through another recent appeal¹ and found to be sound (dismissed November 2020).
- 6.7 Paragraph 4.4.100 of The RBLP is clear that the *"need for student accommodation is highly dependent on any expansion of the University"* with the University expressing the intention for significant growth to 2028. It goes on to state that *"where such growth requires planning permission, it will need to be tested against policies OU1, and depending on location, ER2, to ensure it can be supported by appropriate student accommodation. The need for future expansion of accommodation will therefore need to be kept under review."*
- 6.8 As background to the Reading Borough Local Plan the Council prepared a Reading Borough Local Plan Background Paper (March 2018 and the Statement of Common Ground (agreed between UoR and the Council), November 2018). This sets out the substantial increase in purpose-built student accommodation in recent years as being broadly similar to the reported and predicted increase in the SHMA between 2010 and 2018 of around 2,900 students. The Council considered that a need for student accommodation of around 1,000 bedspaces, which relates to the first-year guarantee, as the closest thing to an evidenced level of need. This was recognised in the Statement of Common Ground and Local Plan paragraph 4.4.98 states as follows:
- ".....More recent evidence from the University indicates that this growth, underpinned by changes to the tuition fee system and the removal of student number controls, has indeed generated a need for new accommodation. In 2016/17, 74% of students were from outside the South East, and 28% were from outside the UK, and these groups are particularly reliant on student accommodation. There is current shortfall in University accommodation of around 1,000 bed spaces for first year students and, across all years of study, for 2017/18, 5,000 students were not housed in purpose built student accommodation."*
- 6.9 There are opportunities to accommodate this level of existing need on locations compliant with Policy H12.
- 6.10 Although it was accepted by the Council at the time of the Local Plan Examination (information presented by the UoR - 'Gap Analysis' as at 2017/18) that there were just over 5,000 students requiring accommodation, but not housed in PBSA, it was not evidenced that all these students would move into PBSA should such accommodation be made available. The Demand Study undertaken by Knight Frank, submitted with

¹ APP/E0345/W/19/3242252 - Alexander House, 205-207 Kings Road, Reading RG1 4LS

this application, includes summary results from a national survey² of student applicants, current and new (in the 2019/20 academic year) students suggesting that there is a higher satisfaction with PBSA over other accommodation (78% compared to 71%). This in itself is not clear evidence of unmet need for PBSA, and if anything indicates that a large proportion of the 5,000 would choose to remain in other forms of accommodation. In any case it does not identify a specific quantum of PBSA need that could not be met on sites which meet Policy H12 requirements.

- 6.11 In terms of future potential growth of students, the UoR presented, as part of the Local Plan Examination, estimates of growth in student numbers up to 21,000 in 2028 (from 16,000 in 2017/18). Reading LPA had very serious concerns about these estimates and did not agree that it was clearly demonstrated that the figure of 5,000 students represented the level of 'need' at that time, holding the view that the growth figures were untested and hugely ambitious. However, it was noted that even if the assumptions underpinning the level of growth presented were accurate, such growth would require a significant amount of University expansion, and that such growth would have implications far beyond accommodation needs, including transport infrastructure, the provision of services and facilities, pressures on the natural and historic environment and impacts on existing communities. Such growth would, therefore, need to be tested against Policies OU1 and as required against ER2, as set out above.
- 6.12 The Demand study submitted with this application presents a projection of 23,157 students by 2022/23 based on "*previous trends for key student groups*" for "*full time students within the combined Reading area*". No methodology is set out for how this figure has been arrived at, and it is not possible, therefore, to consider that this represents a robust basis for decision-making. Reference is made to an Appendix 2 showing a breakdown of student number projections, but Appendix 2 does not appear to have been provided. Simply extrapolating past trends forwards would seem to be a similar basis to the figures which the University presented at the examination, the issues with which the Council has previously outlined. This would not appear to take any account of specific expansion plans by the University, nor of the need to comply with policy OU1.
- 6.13 It was clear from the recent appeal decision into Alexander House that "*it is challenging to ascertain a precise figure [of need] due to the range of complex underlying factors that may affect demand and supply. Furthermore, there is no established standard methodology for calculating the need.*" The inspector's view was that any presented shortfall of student spaces would "...presuppose that all students would prefer PBSA accommodation over a shared House Multiple Occupation (HMO)." In that appeal case the Inspector stated that the information showed that "*students would have differing preferences based on a range of factors including their age, which year of study there were, whether they were domestic or international student, the price of accommodation and the facilities and quality of the accommodation itself.*" The Inspector accepted that this "...presented a complex picture and as such whilst the figures may reflect a potential demand, they do not clearly demonstrate the need for PBSA".

² Knight Frank/UCAS Student Accommodation undertaken in the period February-November 2019

- 6.14 A letter of support from Homes for Students has been submitted and a further letter from them setting out that they were in advanced discussions with On Campus, (an educational institution who work in partnership with the University to offer high quality university preparation programmes for international students on the University campus), based at the London Road Campus of UoR regarding the applicant's existing 79 Silver Street site and the application site. They state that On Campus are looking to expand their presence in Reading and have existing nomination agreements with other private student accommodation providers located around London Road. Although this may suggest a desire for a partnership with this specific application site it does not indicate detailed plans that rely on the application site to meet a need.
- 6.15 As well as issues relating to need, although the application site is not a specific allocated housing site, its development for alternative uses to housing, would reduce the Council's ability to meet its own housing need, thereby conflicting with policy H1. Also, unlike a housing site, provision of PBSA does little to meet the Borough's identified need for affordable housing, in conflict with policy H3.
- 6.16 In terms of the previous refused and appealed scheme, and which would still apply to this current proposal, the Inspector stated (Para. 5) that *"The loss of this site to student accommodation would further reduce the Council's ability to meet its housing need within its own boundaries."* This would conflict with RBLP Policy H1 and the aims of the NPPF para. 68.
- 6.17 The Submitted Demand Study acknowledges that *"It is likely that purpose-built student housing, where it is affordable to those students currently in HMOs, can free up some existing homes to meet more general needs..."* and *"the single most important factor influencing the choice students make about where they live is value for money."* Therefore, the proposed scheme, which as described by the applicant is PBSA aimed at more affluent students, and specifically the international student market, is unlikely to have any positive effect with respect to freeing up existing housing to assist with contributing to general housing supply. Additionally, Paragraph 4.4.95 of the RBLP states: *"....whilst the UoR considers that the PBSA does widen choice it is not affordable to many of their students in need of accommodation, and that a partnership arrangement may be needed to resolve the issue. This is why the following sentence was added to Local Plan paragraph 4.4.97.*

"The Council particularly recognises the benefits of purpose-built student accommodation where there is a partnership arrangement with a further or higher education institution and where it offers accommodation that meets the needs of students in terms of facilities, convenience to places of study and in terms of the cost of accommodation."

- 6.18 The Demand Study also sets out that the type of accommodation proposed as *"larger higher quality studio accommodation, a separate option to the existing on-campus accommodation"* will not *"be provided within any development of the university's own sites"* and is not the type, which would be provided on the sites identified in the Local Plan. Firstly, there is no clear evidence that there is a specific unmet need for this proposed specific type of PBSA nor that it would not be possible to provide such accommodation on sites, which would meet Policy H12.

- 6.19 Officers have assessed the submitted information and do not consider that any compelling evidence has been presented, which would change the view that the proposed site would not meet policy H12 requirements and would conflict with the aims of the NPPF. The Policy has been subject to Local Plan Examination and has recently been defended at appeal twice (this site and Alexander House, Kings Road), with neither inspector accepting that the sites were necessary to meet need that could not be met on sites compliant with Policy H12.
- 6.20 It is concluded therefore, that the principle of the use of the site for student housing would not be acceptable and this forms a reason for refusal as set out below. The proposal is further assessed below with regard to its compliance with policies relating to the character of the area, quality of the layout and design, residential amenities and transport.

(ii) **Design quality**

- 6.21 Policy CC7 requires that all development must be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located. The various components of development form, including: -
- Layout: urban structure and urban grain;
 - Landscape;
 - Density and mix;
 - Scale: height and massing; and
 - Architectural detail and materials.
- 6.22 The scheme will be assessed to ensure that the development proposed makes a positive contribution to a number of urban design objectives. This part of the report will look at the layout, scale and architectural detail of the proposed scheme and within the context of whether it has addressed reasons for refusal under the previous scheme 190449 and matters set out by the Inspector.
- 6.23 The proposed scheme is a 'n' shaped building, comprising a block to the rear of the site with 2 storeys plus basement (Block B), a northern link building at basement level, and a 4 storey (plus basement) frontage building to Silver Street (Block A).
- 6.24 With respect to the height and appearance in the streetscene Block A is proposed with a mono-pitched roof, with inset flat roofed dormers. The overall design is groups of projecting sections with corresponding dormers above, with a variation in building line to break up the mass of the frontage. The proposal is for a contemporary appearance using fair faced brick, feature recessed panels, brick cills, standing seam zinc roof and aluminium windows and ventilation louvres.
- 6.25 The proposed scheme is the same maximum height as the refused (190449) at 12.2m above ground level, when viewed from Silver Street, which compares to Platinum Apartments to the north (right), at 10.2m, and Hieatt Close to the south (left), at 11.0m.



- 6.26 Although officers considered the previous refused scheme to be acceptable in overall height, refusal reason 1 related to the combination of the bulk and height of Block A with the spacing between Blocks A & B and development being on three sides leading to an overdeveloped site, harmful to the streetscene and detrimental to the character and appearance of the area.
- 6.27 In terms of character and appearance the Inspector into the appeal considered that the height and massing of the front block would be comparable in scale to the neighbouring buildings and would complement the street scene along Silver Street. The inspector also considered the *“spacing between the front and rear blockssufficient to avoid the development appearing cramped and overdeveloped”* and did not consider the height and bulk of the linking northern building as dominating to the internal space of giving the proposal *“an overdeveloped feel”* (para 31.). Therefore, the reason for refusal 1 was not upheld by the inspector and the overall scale and massing was considered acceptable and not harmful to the character and appearance of the area.
- 6.28 The heights and design of Buildings A and B have been maintained in the submitted proposal and the northern block is now only at basement level. The spacing between Block A and Block B has been increased from 15.1m to 16.1m (northern end) and 12.2 to 13.2 (southern end (resulting from Building B being moved west)).



Refused Ground Floor



Proposed Ground Floor

- 6.29 The overall appearance of Block A, although more contemporary than existing neighbouring buildings, was accepted by officers with respect to 190449. This appearance has been maintained for the submitted scheme and is considered acceptable. Block B was considered acceptable in its design and overall scale and massing when assessed under 190449 and this design has been retained for this submission and is therefore, acceptable.
- 6.30 Reason for refusal 2 related to the overall height, position and bulk of the refused scheme and the considered resulting loss of amenity for neighbouring residents. The Inspector partially accepted this with respect

to the distance between the scheme and Platinum Apartments, which was ca4m (side wall to side wall), and the resultant effect of reducing light and outlook to the windows in the side of Platinum House (para. 25.). This is discussed further in the amenity section below. The proposed scheme now includes an increased distance between Block A and Platinum Apartments of ca 7.5m and is considered acceptable.

- 6.31 As the original reason for refusal regarding character and appearance was not upheld by the inspector, and that amendments have been made to the scheme to reduce the overall size of Building A, increase the distance between Building A and Building B and remove the ground floor element of the northern link, it is considered that the overall scale, mass and design of the proposal is acceptable and meets Policy CC7.

(iii) **Density and mix**

- 6.32 Developments should provide an appropriate range of housing opportunities in terms of a mix of housing types, sizes and tenures to accord with para. 62 of the NPPF and local policy H2.
- 6.33 The previous refused scheme included a reason no. 4 for refusal related to a concentration of students detrimentally impacting on the lives of adjoining owners and failing to provide a mixed and balanced community.
- 6.34 The Inspector into the appeal against refusal of 190449 did not uphold this reason and stated:

“36. ...Looked at in a wider context,it would contribute towards the mix of uses in the area. The appeal proposal, even when combined with other existing student accommodation at 79 Silver Street and Crown Street nearby, would still make up a relatively small proportion of the uses in the area, which includes a variety of terraced housing and apartments, small businesses and offices. I consider that the proposed development would not result in an unbalanced community when viewed in this wider context, particularly given the wide range of uses and tenures already present in the area.”

“39. I conclude that the proposed development would not harm the mix or balance of the community in the wider area, and therefore would accord with Policy H2 of the Reading Borough Local Plan 2019, which seeks to direct the density and mix of new development.”

- 6.35 Although the officer’s view is consistent on this point with respect to the proposed scheme, as there is no change to the nature of the scheme and this reason was not upheld by the Inspector, it is considered acceptable in this regard.

(iv) **Impact on amenities of adjoining occupiers and future tenants**

- 6.36 Policy CC8 (Safeguarding Amenity) states that development should not cause a significant detrimental impact to the living environment of existing or new residential properties in terms of privacy and overlooking, access to sunlight and daylight, visual dominance and overbearing, noise and disturbance, artificial lighting, crime and safety. Policy CC7 also refers to the need to ensure that the amenities of neighbours are not significantly harmed.

- 6.37 Reason for refusal 3 for the previous scheme related to the effect of the layout and relationship between blocks affecting proposed occupants in terms of overlooking, loss of privacy noise and disturbance. This was largely not upheld by the Inspector and the only issue upheld related to a student warden unit, which was on the ground floor of Block A, surrounded by the main access and cycle store/ in store. This unit has been removed from the proposed scheme and in addition there is a slight increase in the distance between the blocks.



Refused 190449 Ground Floor

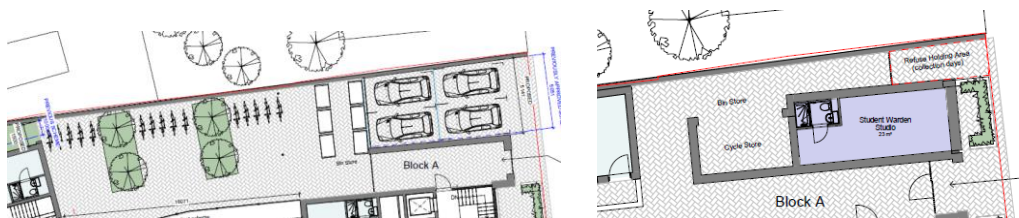


Proposed Ground Floor

- 6.38 The scheme is therefore considered acceptable with respect to the living conditions of future occupants and compliant with Policy CC8.
- 6.39 As referred to above, in terms of living conditions of neighbouring occupants the Inspector did not consider the previous scheme would harm the living conditions of neighbouring occupants by reasons of noise disturbance, overlooking and loss of privacy. The Inspector did, however (para. 25), find that that there would be a loss of light and lack of outlook to the side windows of Platinum Apartments resulting from the proximity of the proposed Block A, which would be to the detriment of the occupants' living conditions. This was having reviewed the sunlight and daylight study³.
- 6.40 The proposed scheme includes the siting of Block A further from Platinum Apartments. The Daylight & Sunlight Study submitted for the refused scheme confirmed that the properties most impacted would be 69 Upper Crown Street and the south facing units in Platinum Apartments. Of the 10 rooms (a total of 19 windows) tested in these specific properties, that were overlooking the site, 4 rooms showed an adverse impact, with 2 cases of an anticipated over 40% reduction in daylight. At that time, this combined with other amenity concerns, was considered to be unacceptable. However, the Inspector into the appeal only considered that there would be an adverse effect with regards to side windows at Platinum Apartments.
- 6.41 The Daylight & Sunlight Study submitted with this scheme continues to show some windows which do not fully comply. However, the maximum number of windows which would be affected would be 3 (2 at 69 Upper Crown Street, and 1 at Platinum apartments) and the effect would be 'minor adverse'. This compares to the refused scheme where some impacts were 'substantial adverse'. The relationship to 69 Upper Crown Street is almost identical to the refused scheme, and there are no studios at ground level to the northern side of the site, therefore this and in conjunction with the Inspector's view of the refused scheme, there is not considered to be significant harm with respect to daylight and sunlight for this property.

³ Delva Patman Redler Chartered Surveyors - daylight and sunlight study, February 2019.

- 6.42 The Inspector did accept that the refused scheme would have an adverse impact on some of the side facing windows of Platinum apartments with respect to loss of light and outlook. Building A has been sited further from it and the Study shows some limited minor adverse impacts to side facing windows. These are secondary windows, there are windows to the front, and the space internally is open plan, therefore on balance across the whole scheme, and that Building A is relatively comparable in siting and scale to the previous approved (now lapsed) residential scheme (150885), it is considered acceptable.
- 6.43 The submitted solar study does not show a significant change in impact to that submitted for the refused scheme, and although officers considered that the shading of the shared courtyard amenity space would have contributed to it not being a quality space, the Inspector did not agree.
- 6.44 As with the refused scheme cycles and bins are shown adjacent to the northern boundary (see extracts of plans below) and with the previous scheme officers considered that this would add to amenity concerns in terms of noise and disturbance and odour. This was not accepted by the Inspector. Had the proposed scheme been acceptable overall then conditions would have been requested requiring enclosed storage of both and some landscaping buffer between the storage and the shared northern boundary.



- 6.45 In reviewing the scheme in the context of the Inspector's decision on the previous scheme, as the proposal includes fewer units, Building A is further from Platinum Apartments and that units have been removed from the ground floor, it is now considered that the scheme has sufficiently resolved amenity concerns, would not have a significant harmful impact on the living environment of existing residential properties, and would therefore, comply with Policy CC8.

(v) Highways and transport issues

- 6.46 The reason for refusal no. 7 of 190449 was regarding no provision of on-site parking. The Inspector upheld this reason. The proposed scheme includes for 4 car parking spaces (2x2 tandem spaces), which the Transport Officer has confirmed is acceptable and the scheme, therefore, complies with Policies TR3 and TR5.
- 6.47 Had the scheme been acceptable Transport requested conditions as set out in para 4.41 above.

(vi) Landscape & Ecology

- 6.48 There is no fundamental objection to the landscape scheme as proposed, but details would have been required via condition.

(vii) Other (S106, drainage, air quality, equalities)

S106 planning obligations

- 6.49 The refused scheme included a reason for refusal regarding the absence of a completed legal agreement.
- 6.50 A draft Unilateral Undertaking was submitted by the applicant, as submitted during the course of the appeal, and largely agreed as acceptable at that time. Had the current proposal been found acceptable negotiations would have progressed and concluded to ensure the securing of the following:
- i) an acceptable mitigation plan or equivalent contribution⁴ towards the provision of Employment, Skills and Training for the construction phase of the development;
 - ii) a travel plan and highway alterations;
 - iii) a restriction on occupancy to students only; and
 - iv) implementation of the student accommodation management plan.
- 6.51 However, in the absence of such, it is again recommended as a reason for refusal, because it would be contrary to Policies CC8, CC9, H3, TR1, TR3 and the Employment, Skills and Training SPD (2013), but could be overcome with a completed and agreed Agreement.

Drainage

- 6.51 The sustainable drainage details submitted have been reviewed, however the submitted drainage strategy does not include assessments of the 1 in 1 year event or 1 in 30 year event, thereby not complying with national standards. Therefore, there has been a failure to demonstrate the scheme's acceptability in terms of sustainable drainage and attenuation of localised flooding for all rainfall events, contrary to Policy EN18. This forms a reason for refusal.

Air Quality

- 6.52 The previous refusal included refusal reason 6 regarding insufficient information having been submitted to demonstrate that the scheme would be appropriate in the Air Quality Management Area. An Assessment has been submitted and the Environmental Protection and Nuisance Officer has confirmed that the air quality at the development would be within EU limit values and, therefore, complies with Policy EN15.

Equalities Impact Assessment

- 6.53 In determining this application the Committee is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender, and sexual orientation. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application. In terms of the key

⁴ Calculated as £6,030 based on a Gross Internal Floor Area of 2,412sqm and the formula in the adopted Employment, Skills and Training SPD 92013)

equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

RECOMMENDATION

Refusal:

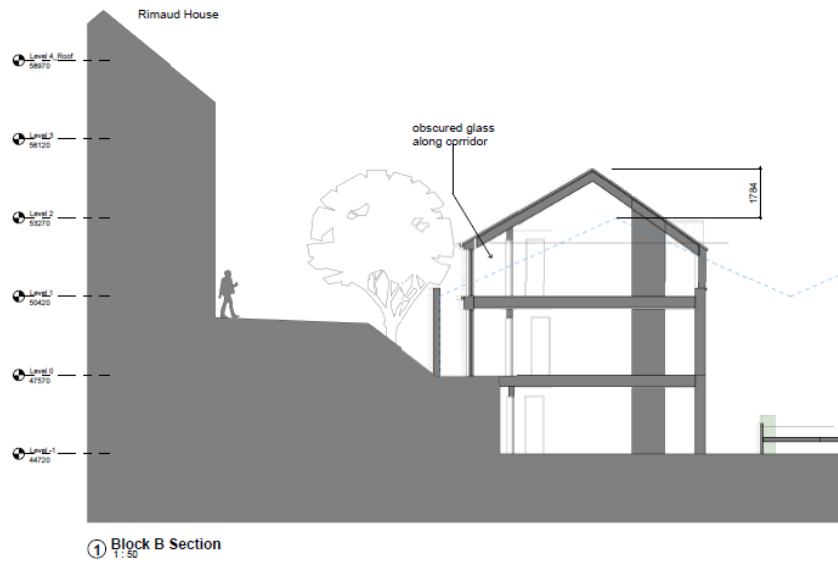
1. It has not been clearly demonstrated how this proposal for Purpose Built Student Accommodation (PBSA) meets an identified need that cannot be met on those sites identified within the Adopted Reading Borough Local Plan for student accommodation or on sequentially preferable sites. The loss of this site to student accommodation would further reduce the Council's ability to meet its housing need within its own boundaries. The proposal therefore does not comply with Policy H12 of the Reading Borough Local Plan and conflicts with the aims of the NPPF para.68.
2. In the absence of a completed legal agreement to secure:
 - i) an acceptable mitigation plan or equivalent contribution towards the provision of Employment, Skills and Training for the construction phase of the development;
 - ii) a travel plan and highway alterations including the required traffic Regulation Order (TRO) to amend the waiting restrictions within the layby on Silver Street to allow the modification of the vehicular access;
 - iii) a restriction on occupancy to students only; and
 - iv) implementation of the student accommodation management plan, the proposal fails to provide adequate controls over the use of the development, including its highways and other travel impacts, contrary to Policies CC8, CC9, TR1 and TR3. The proposal also fails to contribute adequately to the employment, skills or training needs of local people with associated socio-economic harm, contrary to Policy CC9 and the Employment Skills and Training SPD (2013).
3. There has been a failure to demonstrate the acceptability of the scheme in terms of sustainable drainage and attenuation of localised flooding for all rainfall events, contrary to Reading Borough Local Plan Policy EN18.

Informatives:

Refused Plans
Positive and Proactive

APPENDIX 1: PLANS

Sections



Lower Ground Floor

Proposed



Refused



Ground Floor

Proposed



Refused



First Floor

Proposed

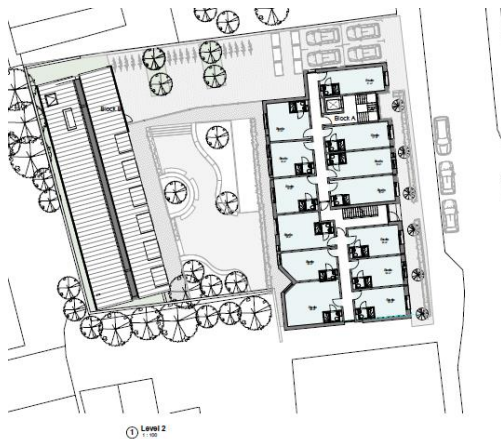


Refused



Second Floor

Proposed

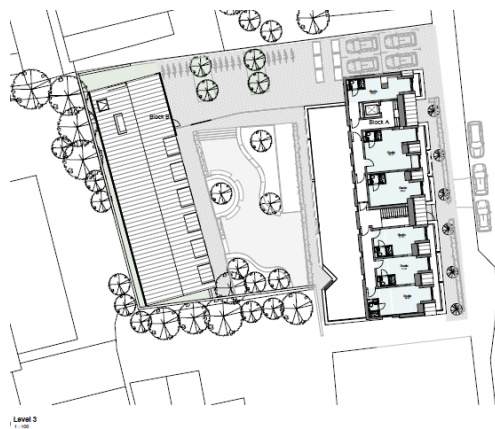


Refused



Third Floor

Proposed

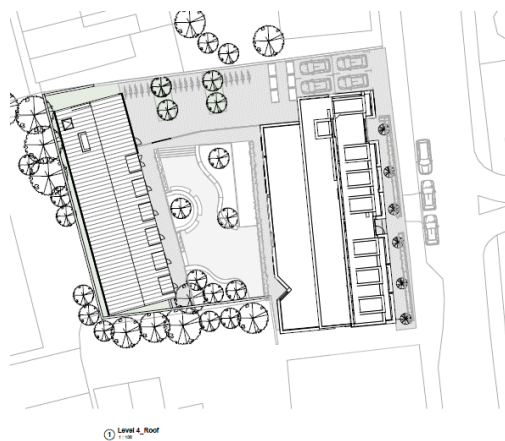


Refused



Roof

Proposed



Refused



Elevations



② Street Elevation - Silver Street long elevation
1:200



① Street Elevation - Silver Street
1:100





① Elevation 1 - Silver Street
1 : 100



⑤ Elevation 5 - South
1 : 100

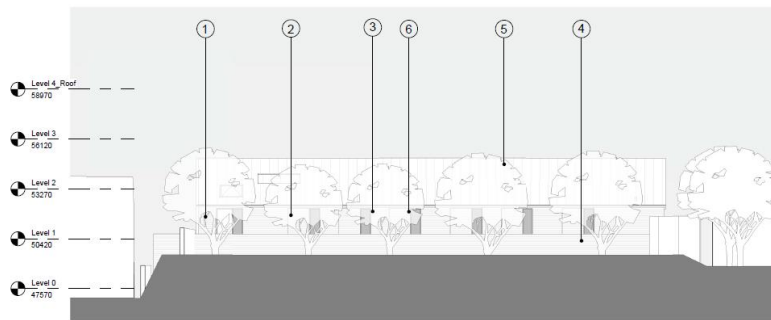


⑥ Elevation 6 - North
1 : 100



③ Elevation 3 - Block B Courtyard
1 : 100





① Elevation 4 - Block B West
1 : 100



② Elevation 2 - Block A Courtyard
1 : 100



W Aerial View: Proposed