

DELEGATED APPLICATION REPORT

App Ref: 211681/FUL

Address: Land adjacent to Dukesbridge House

Proposal: Construction of a pair of semi-detached mews houses with associated cycle and refuse storage

Case Officer: Connie Davis

Target Decision date (agreed extension of time): 18/01/22

INTRODUCTION

The application site (within Dukesbridge Court) relates to a car park/ servicing yard behind Dukesbridge House and accessed via Highbridge Wharf, past the Grade II Listed Highbridge House. Dukesbridge House has permission for the change of use of the building to 77 residential units.

The surrounding area is varied, with multiple storey buildings in the immediate vicinity surrounding the car park although buildings are generally of traditional materials.

The site is not Listed, but is within the Market Place/ London Street Conservation Area.



PROPOSAL

Planning permission is sought for the erection of a pair of semi-detached mews houses with associated cycle and refuse storage.

The proposed townhouses will be erected in the courtyard at the rear of Dukesbridge House on land which is currently occupied by 7 parking bays, which will be removed, and partially replaced with planted zones. No on-site parking will be provided.

Submitted Plans and Documentation:

5016 210 - Site Location Plan

5016 211 - Block Plan

5016 214 - Proposed Elevations

5016 214 - Proposed Elevations

6018 213 - Proposed First Floor and Roof Plans

6018 212 - Proposed Ground Floor Plans

Received 13th October 2021

Product 4 (Detailed Flood Risk) for Duke Street, Reading, RG1 4SA Our Ref: THM121205
Submission and Heritage Statement
Planning Statement
Design and Access Statement
6018 218 - Proposed Materials

Received 9th November 2021

PLANNING HISTORY

201081 - Upward extensions of between two and three storeys, part five/part six storey side extension to east elevation adjacent to Highbridge Wharf and part three/part four/part five storey extension to west elevation corner with Duke Street (following demolition of existing corner block) to provide new residential units (mixture of studios, 1 bed, 2 bed and 3 bed units), retail units and gym. Realignment of ramped access between the Kennet riverside and Duke Street frontage, relocation of substation to east elevation, proposed hard and soft landscaping works and provision of bin and cycles stores - Application under consideration

201018 - Alterations to Dukesbridge House, including - Infill extension at lower ground level on south elevation, replacement of grills with windows at lower ground floor level on east and south elevations, new windows/doors at ground to second floor on north and west elevations, removal of louvred grills on north elevation to create private amenity spaces, new windows at lower ground to third floor on east elevation, new external cycle parking, bin storage and external lighting within courtyard area and various other associated alterations to facilitate the implementation of prior approval 201043 - Application Permitted

190602 - Change of use of part lower ground floor, part ground floor, first, second, third and loft floors from Class B1(a)(offices) to Class C3 (dwelling houses) to comprise 77 dwellings (26 x studio, 49 x 1 bed, 2 x 2 bed). Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - Permitted Development

CONSULTATIONS

Internal

Transport - Further clarification required on who the 7 parking bays are currently used by and whether all the retail units fronting onto Duke Street and Kings Road will continued to be serviced from the courtyard. Transport Development Control would not support any proposals which resulted in the loss of on-site servicing

Natural Environment - Objection as the applicant has not demonstrated sufficient tree planting can be provided on site

Ecology - No objections subject to conditions

Environmental Health - No objections subject to conditions

Environment Agency - No objections but advised the applicant would need to obtain a permit from the Environment Agency if permission is granted

Canal & River Trust - No comments to make

Berkshire Archaeology - No objection, subject to condition

Public

The following addresses were consulted by letter on 10/11/21.

2-4, 6-12, 14, 16 King's Road

20-30 King's Road (Kings Wharf)

1, 3-5, 7, 9, 11, 15, 17, 19, 21, 23 Duke Street (Dukesbridge Court)

1-17 Highbridge Wharf, Highbridge House

1-17 Il-Libro Court

In addition, a site notice was erected.

Two representations were received which stated:

- *'The proposed plan means that I will not be able to supply inventory to my store, therefore can have a detrimental affect to my business. It won't allow me to park'*
- *'This area is surrounded by tall office/residential blocks and the considered application proposed would be dwarfed by these buildings. In what is essentially a very small car park and bin refuse area for the current residents and retail units from Duke Street i see no benefit to squeezing in 2 houses at this location. They would be overlooked on all sides offering no privacy. Also would be detrimental to deliveries for the retail units'*

Officer comment: *These matters will be considered and responded to within the report.*

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. Material considerations include relevant policies in the National Planning Policy Framework (NPPF) which states at Paragraph 11 "Plans and decisions should apply a presumption in favour of sustainable development".

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

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

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
EN3	Enhancement of Conservation Area
EN12	Biodiversity and the green network
EN14	Trees, hedges and woodlands
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

Relevant Supplementary Planning Documents (SPD) are:

Affordable Housing (2021)
Revised Parking Standards and Design (2011)
Planning Obligations Under Section 106 (2015)
Sustainable Design and Construction (2019)
Tree Strategy (2021)

APPRAISAL

The main matters to be considered are:

- Principle of development
- Design and impact on the surrounding area
- Residential amenity and quality of accommodation
- Private outdoor space
- Transport matters
- The Natural Environment
- Affordable Housing
- Other Matters
- Equalities impact

Principle of development

The development site is located within the urban area of Reading. As established by Local Plan Policy H1, there is a pressing need for additional housing in Reading and the surrounding area. This policy supports the principle of housing development within the borough on land which is not functional floodplain or open space and that which

contributes towards social, economic and environmental wellbeing. There is an identified requirement to provide 15,847 dwellings and associated infrastructure over the plan period.

In meeting housing need, 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. The priority for development should be on previously developed land, in particular on vacant, under-utilised and derelict sites. As the site is currently a hardstanding car park, occupied by garage blocks and associated access, it is considered the land is classified as ‘previously developed’ brownfield land and therefore in principle is supported by the NPPF.

The land (a car park) would be classified as previously developed land and so would involve the reusing of land which is supported by the NPPF.

As such, the principle of residential development is accepted as it reuses brownfield land in an already established residential area. However, other material considerations need to be considered, as outlined below.

Design and impact on the surrounding area

Policy CC7 seeks to protect and enhance the character and appearance of the area, and require a *“high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located.”*

Policy CC7 outlines a number of considerations to ensure development would protect and enhance the character and appearance of the area including:

- *Layout: urban structure and urban grain;*
- *Landscape;*
- *Density and mix;*
- *Scale: height and massing; and*
- *Architectural detail and materials*
- *Character - a place with its own identity and sense of place*
- *Continuity and enclosure*
- *Quality of the public realm and provision of green infrastructure and landscaping*
- *Ease of movement and permeability*
- *Legibility - clear image and easy to understand*
- *Adaptability - capable of adaptation over time*
- *Diversity - meets a wide range of needs.*
- *Respond positively to their local context and create or reinforce local character and distinctiveness, including protecting and enhancing the historic environment of the Borough and providing value to the public realm;*
- *Create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion;*
- *Address the needs of all in society and are accessible, usable and easy to understand by them, including providing suitable access to, into and within, its facilities, for all potential users, including disabled people, so that they*

- *can use them safely and easily;*
- *Are visually attractive as a result of good high quality built forms and spaces, the inclusion of public art and appropriate materials and landscaping.*

Policy EN3 states that *“Development proposals within Conservation Areas must make a positive contribution to local character and distinctiveness. Positive consideration will be given to proposals which take opportunities to enhance the character of conservation areas.”*

In addition, the NPPF (para. 64) states: *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”.*

The surrounding area is a mixture of residential and commercial (facing Kings Road) Dukesbridge House to the south is a 5/6 storey building and to the north is the a 4 storey building. Buildings in the vicinity are a variety of styles but are generally finished in traditional materials. The proposed dwellings would be smaller in scale than the surrounding Dukesbridge House complex due to the confined and cramped arrangement of built form. It is therefore considered the dwellings would appear an incongruous addition due to its shape, leading to a blank side elevation, and small scale when read in relation to surroundings. The proposal also sees the creation of a new covered bin store that, from the street, would dominate the entrance to the site and the wider car park.

Whilst views of the development would be limited from the wider street scene, this is not considered a suitable justification to permit poor quality design. The dwellings would have flat roofs with roof gardens and terraces and therefore exhibits elements of more contemporary design. Whilst the LPA encourage initiative design, this is subject to a suitable context. The site is located within the Market Place/ London Street Conservation Area and therefore the development is required to ‘make a positive contribution to local character, as per Policy EN3 of the Local Plan. The proposal fails to deliver on this policy for the reasons above.

In terms of materials, the applicant has confirmed in their supporting statement the façade of the proposed new development will be executed in red facing brick with grey mortar with fenestration colours to match those on Dukesbridge House. Zinc cladding is also proposed on the upper floors. Metal cladding is not a prominent feature within the immediate vicinity and is not considered to positively integrate with the material types found elsewhere within the Conservation Area.

By way of its cramped arrangement dictated by the shape and small scale of the site, along with the out of keeping architectural detailing namely materials, is considered to result in the proposed development that fails to suitably integrate with the layout and design of the surrounding conservation area, contrary to policies CC7 and EN3 of the Reading Borough Local Plan (2019).

It is worth noting that the proposed site is within the plans submitted for application 201081/FUL (see planning history). This application is still yet to be determined by the Local Planning Authority. However, under that scheme, the site is to be used as a storage for waste and storage. As such, this application would preclude the implementation of this other scheme should it be approved, indicating the two proposals together are not compatible as their design overlaps. However, this is not a reason for resisting this application.

Impact on existing and future occupiers

Policy CC8 seeks to protect the amenity of surrounding occupiers 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; or
- Wind, where the proposals involve new development of more than 8 storeys.

Policy H5 includes a number of standards for new development. The proposed dwelling would meet internal space standards for a new 2 bedroom, 2 storey dwelling, including bedroom sizes, albeit the shape of the rooms being a somewhat unusual shape due to the confines of the site and the shape of the site.

Given the town centre location, it needs to be demonstrated that the proposal would not expose future residents to a harmful level of noise disturbance or poor air quality in accordance with Policies EN15 and EN16 of the Reading Borough Local Plan (2019). The submission has not addressed these matters, however this information could have been secured via pre-commencement conditions should the proposal had been acceptable.

The windows of the proposed dwellings are considered to have a poor outlook, especially those at ground floor level. This is heightened by some ground floor windows (which serve habitable rooms) being obscure glass with the aim of ensuring the dwellings retain a suitable level of privacy from users of the car park. This is considered a poor design solution and indicative of an overdevelopment of the site where suitable outlook and privacy cannot be achieved simultaneously. The proposal therefore fails to provide a suitable level of accommodation for future occupiers in accordance with Policy H5 and CC8 of the Reading Borough Local Plan (2019).

In terms of impact on existing occupiers, the proposed dwellings would be built at the rear of 6-12 Kings Road (commercial) and in front of 1-17 Il-Libro Court (residential) and opposite Dukesbridge House. The proposed development would be situated over 10m away from the rear of this neighbouring site which is considered an adequate separation distance to maintain privacy.

However, the proposed development would be built in front of a first floor window at 1-17 Il-Libro Court. This first floor window serves a bedroom of a residential dwelling. Bedrooms are considered habitable rooms that should enjoy a an acceptable level of natural light and outlook. The development would be placed in front of the window and therefore would reduce these to an unacceptable level. The proposed roof terraces will also be in close proximity to the windows due to the placement of the proposed dwellings in relation to residential dwellings an Il-Libro Court which would also result in noise and disturbance to existing occupiers. The proposal is therefore contrary to Policy CC8 of the Reading Borough Local Plan.

Amenity space

Policy H10 states that *“dwellings to be provide with functional private open space ... that allows for suitable sitting-out areas, children’s play areas, home food production, green waste composting, refuse storage, general outdoor storage and drying space. Houses will be provided with private outdoor space whereas flats may be provided with communal outdoor space, balconies and/or roof gardens.*

The design of outdoor areas will respect the size and character of other similar spaces in the vicinity, clearly identify whether they are private or communal spaces, ensure that they are appropriately related to main entrances, enhance safety and the perception of safety for future residents and the general public, and not be compromised by the relationship of other buildings which may be detrimental in terms of overlooking, overbearing or overshadowing.”

Whilst the site is in the town centre, both new dwellings will be provided with a private roof terrace which is positive. However, the terrace will face directly onto the private balconies of Dukesbridge House. Whilst close relationships between amenity spaces are common, those on Dukesbridge House are not facing onto one another but rather are adjacent. Therefore, whilst basic facilities such as clothes drying could be provided, policy H10 states that such spaces should not be detrimental in terms of overlooking, overbearing or overshadowing. Due to the configuration of the surrounding site facing onto the application site (all rear windows and rear balconies), it is not considered the scheme would provide a suitable or quality private amenity space and would be heavily overlooked from multiple orientations within Dukesbridge Court. As such, the proposal is not considered compliant with Policy H10 of the Reading Borough Local Plan (2019).

Transport matters

The site is located within the Reading Central Area and within Reading’s primary shopping area. In the heart of the town centre, a car free development would be acceptable given the sustainability of the site and the local parking restrictions. However, the applicant has failed to confirm who the 7 parking bays are currently used by and whether all the retail units fronting onto Duke Street and Kings Road will continued to be serviced from the courtyard. This concern was raised by a member of the public as part of the consultation period. The Transport team would not support any proposals which resulted in the loss of on-site servicing. The arrangements have not been clarified by the applicant, although on the application form it states that there would be a reduction of 6 spaces indicating that the proposal would see a decrease which would not be acceptable in relation to Policy TR3 of the Reading Borough Local Plan (2019).

In accordance with the Borough’s Parking Standards and Design SPD, a minimum provision of 0.5 cycle storage spaces should be provided per unit. Provision for secure and covered bike storage for 4 No bicycles has been made in front of the houses with the provision of a lockable weather proof bicycle storage shelter.

Bin collection would continue to take place from Highbridge Wharf and provision is made to accommodate 2 No 240 litre wheelie bins for refuse and dry recycling use created as a result of the proposed development.

The Natural Environment

Ecology

It is considered unlikely that the proposals will adversely affect any protected species, however the photos from the Design and Access Statement show there are two areas of vegetation on site which are likely to be removed to facilitate the works. These areas may be used by nesting and roosting birds and should the proposal have been acceptable in other regards, a condition would have been attached to ensure that these are not harmed. In addition, details of biodiversity enhancements would have been secured via condition in line with Policy EN12 of the Reading Borough Local Plan (2019).

Trees

For information, there are some outstanding tree requirements on this site. In 2017, a Section 211 Notice (ref 171783) was submitted to fell one tree and during the processing of this, it was noted that 6 trees on the site were dead. As is detailed in the response to this Section 211 Notice, there is a legal duty to replant where trees in a conservation area are removed due to being dead or dangerous. The replacement of these 6 trees is outstanding, with the duty not complied with. The applicant has pushed back on replanting due to intended planning proposals on this site. Current open application 201081 has significant implications on the availability of space for tree planting, hence has received objections from the Natural Environment team.

Given that the site is located within a conservation area, on a ‘treed corridor’ (the Kennet river) and within a low canopy cover ward, as defined in our Tree Strategy (all making it a priority site for tree retention and planting), the site’s location within the AQMA, our Climate Emergency declaration, the objectives of our Tree Strategy (to increase canopy cover) and given the owner’s legal requirement to replace the felled, dead trees, it should be ensured that these additional proposals don’t further reduce the opportunities for the required tree planting.

Given that application 201081 did not in itself allow sufficient space for the required tree planting, it is important that the space that was allowed is not impacted by these current proposals. Comparing the indicative landscape plan for 201081 and the proposed plan for this current application, it can be seen that the proposed townhouses are located in the position of several proposed trees:



As such, it is a concern unless the applicant can demonstrate that sufficient tree planting can still be accommodated. It is noted that 'planted zones' are indicated but no tree planting is indicated within these:

The proposal would be a Community Infrastructure Levy (CIL) liable development. The applicant has provided the CIL Additional Information Form. If the scheme had been acceptable an informative would have been attached to the decision notice to advise the applicant of their responsibilities in this respect.

Equalities Impact

When determining this application the Council is required to have regard to its obligations under the Equality Act 2010. 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. 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.

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 instead planning permission is recommended to be refused. More specifically, when providing a critical planning balance, it is considered that the benefits of adding to the housing stock in the borough, are not outweighed by the various deficiencies detailed above.

Recommendation: **REFUSE** permission for the following reasons:

1. By way of its siting and location in an established car park and service yard, cramped arrangement dictated by the shape of the site, along with out of keeping architectural detailing (materials), it is considered the proposal fails to integrate with the layout and design of the surrounding conservation area, contrary to policies CC7 and EN3 of the Reading Borough Local Plan (2019).
2. The proposed development, by reason of its reduced outlook and privacy from ground floor windows, coupled with inadequate provision of private outdoor amenity space will adversely impact upon the level of amenity and provide an unacceptable quality of living accommodation for future occupants, contrary to policies H5, CC8 and H10 of the Reading Borough Local Plan (2019).
3. The proposed development, by way of its siting will harmfully reduce light and outlook to residential properties at Il-Libro Court. Furthermore, the proposed roof terraces will result in a harmful level of noise and disturbance to residents of Il-Libro Court as existing windows and balconies would sit in close proximity to the proposed roof terraces. The proposal is therefore considered contrary to Policy CC8 of the Reading Borough Local Plan (2019).
4. The proposal would result in an unjustified loss of parking provision within Dukesbridge Court. Furthermore, the applicant has failed to demonstrate whether all the retail units fronting onto Duke Street and Kings Road will continued to be serviced from the courtyard. The proposal is therefore contrary to Policy TR3 of the Reading Borough Local Plan (2019).

5. The proposal has failed to demonstrate or make provision for an adequate level of tree planting on site, contrary to Policy EN14 of the Reading Borough Local Plan and the Reading Borough Council Tree Strategy (2021)

6. In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough, contrary to policy H3 of the Reading Borough Local Plan (2019) and the Council's Affordable Housing Supplementary Planning Document 2021.

Informatives:

1. Positive and Proactive - Refusal
2. Plans/ documents considered
3. Pre-app
4. Reason for refusal 6 could be overcome at an appeal