

DELEGATED APPLICATION REPORT

Application No: 200973/FUL

Address: 12 Eldon Terrace, Reading, RG1 4DX

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

Applicant: Eldon Homes Ltd

Case officer: Jonathan Markwell

Date received (valid from): 10/08/2020

Target decision date: Originally 05/10/20, but a series of extensions of time were subsequently agreed to allow the negotiations concerning affordable housing and completion of the s106 legal agreement, until 06/08/2021.

1. Site Description and Surrounding Area:

The application site comprises a vacant site, with a now former two storey building recently demolished at the site. The site itself is on the south side of Eldon Terrace, located between the junctions of Eldon Street (to the east) and Eldon Road (to the west). The building dates from the 1970s (see relevant history below), at which point the plot was separated from the listed building at 13 Eldon Square (to the south). The plot has been altered (increased in size close to the western boundary) in comparison with application 180467 at the site (see relevant history section). Previously, there was existing garage areas at ground floor, with a residential unit above and a private amenity space to the rear; however, as already clarified, the site is now vacant.



Site photograph provided by the applicant on 21/08/2020

The site is located within Eldon Square Conservation Area. The former building is not identified as one of townscape merit in the conservation area appraisal. Buildings to the rear

on Eldon Square are listed. Buildings to the west (on Eldon Road) and opposite on Eldon Terrace are identified as being of townscape merit within the conservation area appraisal. The site is also within an air quality management area (AQMA), but outside of the designated Reading Central Area. The surrounding area contains a mix of uses, although it is predominantly residential in nature.

2. Proposals:

The proposal involves an application for full planning permission for the erection of a two storey (and roofspace accommodation) building containing 3 flats, comprising 2x1-bed and 1x2-bed residential units (Class C3) with associated bin and cycle storage. There would be one flat per floor of the building, with the 2-bed ground floor unit having access to the rear garden space and the bin/bike storage being shared between the different units.

During the course of the application the applicant submitted a viability appraisal seeking to justify a nil contribution to affordable housing, a revised heritage statement and a revised design and access statement.

It is also clarified that prior to the validation of the application the applicant was advised of the following by officers: permission 180467 has been implemented with the demolition of the previous garage/dwelling, but the site is presently vacant and the approved building has not commenced to be built. Accordingly, at the present time there is not considered to be a lawful Class C3 x 3 residential units at the site and instead, until such a time that 180467 is substantially complete, the lawful use is a nil use. The documentation to support the application was therefore updated to reflect this, together with the requisite application fee and associated matters.

3. Plans and information considered:

Plans:

15023-PL-30 Site Location Plan
As received 08/07/2020

15023-PL-31A Combined Previous and Proposed Block Plans
15023-PL-32A Combined Previous Approval Site Plan
15023-PL-33A Combined Proposed Site Plan
15023-PL-34A Combined Previous Approval GF Plan
15023-PL-35A Combined Previous Approval FF Plan
15023-PL-36A Combined Previous Approval SF Plan
15023-PL-37A Combined Previous Approval North Elev
15023-PL-38A Combined Previous Approval South Elev
15023-PL-39A Previous Approval West Elev and Section AA
15023-PL-40A Combined Proposed Ground Floor Plan
15023-PL-41A Combined Proposed First Floor Plan
15023-PL-42A Combined Proposed Second Floor Plan
15023-PL-43A Combined Proposed North Elevation
15023-PL-44A Combined Proposed South Elevation
15023-PL-45A Combined Proposed East West Elev and Section AA

15023-PL-46 Existing and Proposed Block Plans
15023-PL-47 Existing Site Plan
15023-PL-55 Existing North and South Elevations

15023-PL-48 Proposed Site Plan
15023-PL-49 Proposed Ground Floor Plan
15023-PL-49A Proposed Ground Floor Plan
15023-PL-50 Proposed First Floor Plan
15023-PL-50A Proposed First Floor Plan
15023-PL-51 Proposed Second Floor Plan
15023-PL-51A Proposed Second Floor Plan
15023-PL-52 Proposed North Elevation
15023-PL-53 Proposed South Elevation
15023-PL-54 Proposed East West Elevation and Section AA
As received 10/08/2020

Design and Access Statement by Weston + Co Architects Ref 15023.9.1_DAS_20.09.07, as received 09/09/2020
Heritage Statement by Weston + Co Architects Ref 15023.9.1_20.09.07_HS, as received 09/09/2020
Financial Viability Appraisal by S106 Management dated 20/08/2020, as received 21/08/2020
Various email correspondence between S106 Management and RBC Valuations concerning the Financial Viability Appraisal.

4. Relevant Planning History:

Application site

20598 - Change of use of the coach house to garages with bed sitting rooms over - Approved in 1972 (Site address was 13 Eldon Square) - formerly part of the curtilage of a listed building, but now separate following this permission.

180467/FUL - Demolition of existing dwelling with garages and erection of replacement two storey (and roofspace accommodation) building comprising 3x1-bed residential units (Class C3) with associated bin and cycle storage. Granted following completion of s106 legal agreement 3/10/2018.

191266/APPCON - Discharge of conditions 3c & 3d (window and door materials), 4 (Construction Method Statement), 11 (landscaping) and 14 (biodiversity enhancements) of planning permission 180467. Discharged 7/10/2019.

Nearby sites of relevance

8 Eldon Terrace (now 2-6 Eldon Terrace)

APP/E0345/A/05/1187196 (05/00490/FUL) Erection of a terrace of three dwellings. Allowed on appeal 20/12/05.

APP/E3045/E/05/1187131 (05/00489/CON) Demolition of workshop. Allowed on appeal 20/12/05.

17 Eldon Square

180274 & 180275 - Demolition of existing Garages and erection of 2 x two bedroom and 1 x one bedroom terraced houses with associated amenity space and vehicular access to a parking area. Granted following completion of s106 legal agreement 05/08/2018.

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

5. Public Consultation:

Consultation letters were sent to nearby occupiers on 20/08/20. A site notice was erected (by the applicant owing to the on-going Coronavirus pandemic) on 21/08/20, expiring on 11/09/20. A press notice was published on 27/08/20, expiring on 17/09/20.

Reading CAAC was formally consulted; no response received.

A total of three objections were received, with the issues raised summarised as follows:

- Loss of privacy to Eldon Square properties (not an issue on the previous permission, but this proposal is set further back); suggestion to plant trees on the boundary to maintain privacy. Another response specifies concern that privacy in a Eldon Square garden will be compromised by first/second floor windows and first floor balcony.
- Loss of light to a Eldon Square garden and ground/basement flats owing to the size/proximity of the proposed building.
- Query as to whether the proposal will be sheltered housing, as the applicant specialises in sheltered housing.
- Three weeks is insufficient time to respond.

Officer response: Regarding loss of privacy, see the amenity section of the appraisal. It is confirmed that Class C3 residential units are sought (no indication of sheltered housing being proposed). The statutory period for responses is 3 weeks, which was advised in the letter sent.

6. Consultation Responses:

6a. Transport:

This proposal seeks to enlarge the previously approved development, application 180467 and was for:

- 3 x 1 bedroom units.

This application consists of the erection of a two storey (and roofspace) building consisting of:

- 2x1 bedroom flat
- 1x2-bed unit.

Eldon Terrace is a one-way system running from east to west. The site is located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. Double yellow lines are present directly outside the proposed development preventing on street parking. This zone directly surrounds the Central Core Area and extends to walking distances of 2 kilometres from the centre of Reading. Typically this zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone.

In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide parking provision of 1no. space per unit. There was no parking associated with the original application (180467). Submitted plans for this application would suggest that no off-street parking is proposed. As previously advised for application 180467, due the close proximity to the town centre and access to public transport and the operation of the Council's Residents Parking Permit scheme, a car free development would be acceptable.

Eldon Terrace is located in Controlled Parking Zone 11R where there is significant pressure for on-street parking due to a shortage of on-street residents' parking bays; therefore, any

future residents of any of the proposed dwellings **will not be eligible to apply for residents or visitor parking permits.** Parking conditions and informatives will be applied to prevent any future occupants of the new dwellings from obtaining resident or visitor parking permits for the surrounding area where parking is under considerable pressure. This will ensure that the development does not harm the existing amenities of the neighbouring residential properties by adding to the already high level of on street parking in the area.

In accordance with the adopted Parking SPD, a minimum of 0.5 cycle parking spaces will need to be provided for each unit; therefore the total cycling provision required for the 3 new flats would be 2. These should be in a conveniently located, lockable, covered store. Cycle storage has been illustrated adjacent to the bin store. It would appear that 1 Sheffield type stand is proposed which would facilitate 2 cycles; this is in accordance with the Council's current standards and is therefore deemed acceptable. This provision will be secured via a compliance condition.

Bin storage is illustrated on submitted plans adjacent to the cycle storage area; it should comply with Manual for Streets and British Standard 5906: 2005 for Waste Management in Buildings and should be located no further than 15m from the access point of the site to avoid the stationing of service vehicles on the carriageway for excessive periods. The position of the bin storage area is the same as previously approved, therefore this is deemed acceptable. Again, this provision will be secured via a compliance condition.

Given the constrained nature of the site (and access to it) and the extent of the proposals, a Construction Method Statement is required. The Construction Method Statement will not be approved until all details regarding the management and construction of the project is submitted to and agreed by the Local Highway Authority. However, it is common that a Construction Method Statement is conditioned and determined separately of the planning application.

There are no Transport objections to this application subject to the conditions and informatives stated below.

- Construction method statement
- Cycle parking (compliance)
- Bin storage (compliance)
- Restrictions on parking permits (x2) (compliance)

Informatives relating to highways works and parking permits are also recommended.

6b. Environmental Protection:

Potential EP concerns are raised in relation to the following matters: Noise transmission between dwellings; Construction and Demolition phase; Pest Control. As such, each element is considered in turn:

Noise between residential properties - sound insulation of any building

Informative - To minimise the disturbance by noise of future residential occupiers of the flats and its effect on neighbouring residents, residential accommodation must be designed and constructed or converted so as to achieve the insulation requirements set out in Building Regulations Approved Document E.

Construction and demolition phases

Concerns are raised about potential noise, dust and bonfires associated with the construction of the proposed development, and possible adverse impact on nearby residents (and

businesses). Fires during construction 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. Therefore, as part of the CMS condition (see transport colleagues), this will also seek to include provisions to be made for the control of noise and dust emanating from the site during the construction phase.

Re-development of land - pest control

In addition, where development will be taking place on sites with a former land use, particularly with a former drainage network, it will need to be ensured that former unused drains have been removed and / or properly capped or the proposed development may be at risk of rodent ingress. Most pertinently in this case, it is likely that rats will occupy a cleared site. If there is a significant gap between site clearance and re-development, it is recommended that baiting be carried out to eradicate rats prior to redevelopment. This is to prevent rat populations which may be disturbed due to the redevelopment of the site causing subsequent problems to residents and businesses in the local area. The measures the applicant intends to incorporate will therefore be secured within the recommended CMS condition.

Hours of Working - construction and demolition phase - The hours of noisy construction, demolition and associated deliveries shall be restricted to the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior approval from the Local Planning Authority.

Bonfires - No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.

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. A pre-occupation is therefore recommended to detail the pest and vermin control measures associated with the proposed bins.

6c. Natural Environment:

The property is within a Conservation Area however, there are no significant trees nearby on or adjacent to site which might be affected by the build. The new properties are to be set back further from the highway in line with the adjacent dwellings and this will provide some opportunity for low level amenity planting to the front.

If planning permission is granted please condition a soft landscaping scheme. Existing trees with potential in the rear garden should be retained or replaced where feasible as part of the soft landscaping scheme. This will need to be submitted and approved prior to the commencement of the building works. A condition should also be applied to ensure that any new trees or shrubs which die, fail to thrive, become seriously diseased or are removed within a period of 5 years from completion of the building works are replaced.

6d: RBC Heritage Consultant:

For context, observations were provided on the previous application, which recommended the proposals were appropriate subject to conditions. For brevity, the policy context is not repeated here and continues to apply as it did previously. Instead, the focus of the comments are in relation to the changes in comparison with the previously approved scheme at the site:

In relation to the amended 12 Eldon Terrace (200973), as a result of the amendments and the general quality of the materials and scale and design of the front elevation the proposed development is considered to be sympathetic in terms of the built environment and would achieve the requirement to preserve or enhance the character or appearance of the conservation area.

Recommendations

There are therefore no objections in principle to the proposed design which would preserve the character and appearance of the conservation area, subject to the following conditions:

CONDITIONS FOR SUBMISSION OF FURTHER DETAILS

The following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

- a). Sample panel of the facing stonework materials which demonstrates stone type, colour, texture, face bond, mortar mix and pointing, to be erected on site and maintained there during the course of construction;
- b). Samples and/or manufacturer's details of the roof materials;
- c). Plan and elevation drawings, with materials annotated, of all new windows at a minimum scale of 1:10;
- d). Plan and elevation drawings, with materials annotated, of all new doors at a minimum scale of 1:10;

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: In order to safeguard the special character and appearance of the Conservation Area in accordance with the requirements of policy

DETAILS - ROOFLIGHTS

Details of the type of any rooflights are to be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun. Rooflights are to be conservation type, fitted flush with or below the roof covering.

Reason: In order to safeguard the special character and appearance of the Conservation Area in accordance with the requirements of policy

6e: RBC Valuations

The Viability Appraisal submitted by the applicant, seeking to agree a £0 affordable housing contribution is not agreed. After significant discussions and negotiations between the parties the following has been agreed involving a financial contribution and deferred mechanism towards affordable housing, as to be secured via the s106 legal agreement:

1. To pay the Council the Affordable Housing Contribution of £24,000 prior to the Disposal or Occupation (whichever is the earlier) of the third (3rd) Residential Unit within the Development.

2. To pay a deferred housing contribution based on the sales values (assessed by the average of two agents' valuations provided by the applicant at completion of the third Residential Unit) whereby 50% of any additional value in excess of the sum of £715,000 being the current Open Market Value of the Residential Units, less the Affordable Housing Contribution (£24,000), will be paid to the Council always provided that Deferred Housing Contribution will be capped at £36,000 by way of a working example for illustration purposes only:

Sales: £787,000

Uplift: £72,000 (£787,000k-£715,000)

50% of uplift: £36,000

Less original affordable housing contribution: £36,000-£24,000 = £12,000

Balance to pay the council would be £12,000

Capped at £36,000 - making total contribution £36,000

3. The Deferred Affordable Housing contribution shall be paid upon exchange of contracts for sale letting lease or disposal of the third unit.

4. Any additional deferred housing contribution generated for the Development will be paid to the Council in full capped at £12,000 (or £36,000 total including both Affordable Housing Contribution and Deferred Housing Contribution).

GDV 715,000 x 0.05 = 35,750. (round up to £36k)

Initial payment - (22000/689000)*715000=22,830 (round up to £24k)

With this obligation secured RBC Valuations are satisfied with the proposed development.

7. Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

8. Relevant Planning Policy and Guidance

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.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable

development'. However the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Plan 2019 according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

Accordingly, the National Planning Policy Framework 2019 and the following development plan policies and supplementary planning guidance are relevant:

- CC1 Presumption in Favour of Sustainable Development
- CC2 Sustainable Design and Construction
- CC3 Adaption to Climate Change
- CC5 Waste Minimisation and Storage
- CC6 Accessibility and the Intensity of Development
- CC7 Design and the Public Realm
- CC8 Safeguarding Amenity
- CC9 Securing Infrastructure
- EN1 Protection and Enhancement of the Historic Environment
- EN3 Enhancement of Conservation Areas
- EN6 New Development in a Historic Context
- EN12 Biodiversity and The Green Network
- EN14 Trees, Hedges and Woodlands
- EN15 Air Quality
- EN16 Pollution and Water Resources
- H1 Provision of Housing
- H2 Density and Mix
- H3 Affordable Housing
- H5 Housing Standards
- 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 Parking

Supplementary Planning Documents & other relevant documents/guidance

Affordable Housing SPD (2021)

Revised Parking Standards and Design SPD (2011)

Sustainable Design and Construction SPD (2019)

Revised SPD on Planning Obligations under Section 106 (2015)

Eldon Square Conservation Area Statement

Historic England Good Practice Advice in Planning Note 1: Conservation Area Designation, Appraisal and Management (Historic England, 2016);

Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking (Historic England, 2015a);

Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Historic England, 2015b).

9. Appraisal

The main issues are:

- a) Principle of development - land use matters

- b) Design, heritage assets and impact on the character and appearance of the surrounding area
- c) Amenity - for future occupiers and impact on neighbours
- d) Transport Issues
- e) Affordable housing
- f) Other matters - Sustainability, Air Quality, Trees/landscaping & ecology; & CIL

a) Principle of development - land use matters

The current site comprises a vacant site, with a former building having been demolished earlier in 2020, as part of the 180467 permission at the site (see relevant history above). Although works to commence that development have begun, it is not substantially complete and hence, at the time of writing, the lawful use is a nil use.

From a pure land use perspective the proposal results in the creation of three residential units (for the avoidance of doubt, the former residential unit does not count as part of this as it had been demolished prior to the submission of this application; hence there is a net increase of 3 units - $0 > 3$, rather than a net increase of 2 at the time of 180467 - $1 > 3$). The principle of providing additional residential units aligns with the broad objectives of policy H1, in assisting to meet the annual housing targets.

From a heritage perspective the principle of a proposed building to fill an existing gap in the townscape is welcomed in principle. This is subject to the proposed building being appropriate in design terms (as discussed separately below).

In terms of mix, the proposed development seeks to provide 1x2-bed unit and 2x1-bed unit. As such, despite the proposal only providing 3 units in total, there is a mix of different unit sizes, which is welcomed in principle. A compliance condition is recommended to ensure that the proposed development provides the range of housing opportunities required by Policy H2.

b) Design, heritage assets and impact on the character of the surrounding area

As per the Historic Buildings Consultants observations above, as set within the context of permission 180467 at the site and moreover, on their own merits, the proposed development is considered to be appropriate in terms of its scale, massing, form and detailed design.

Broadly speaking the proposed scheme is very similar to permission 180467, which was considered appropriate at the time. Although it is acknowledged that the local policy context has changed in the intervening period (with the adoption of the new Local Plan in 2019, replacing the old LDF documents, and the new policies having a greater emphasis on the historic environment and conservation areas), it is considered that the proposed scheme accords in full with the relevant current policies. In particular, like permission 180467, the proposal aligns satisfactorily with the existing terrace of properties at 2-6 Eldon Terrace (for example, the roof profile on the front elevation continues to have identical ridge and eaves heights) and that which may come forward at the neighbouring 17 Eldon Square site (through permission 180274 & 180275 - whilst also being mindful there are current applications at that site too - 200974 & 200975 - see relevant history section above for details).

It is recognised that the red line boundary at the site has increased in this application, squaring off a triangular kink in the site boundary with 6 Eldon Terrace. From a design perspective this creates a more regular composition, rather than the angled element necessary on permission 180467. As such, from a design perspective this element is welcomed. It is also noted at this point that a lean to roof has been proposed on the

boundary, with a partial first floor terrace beyond that point. Although this is acknowledged to be a little irregular in itself, it is less irregular than an already approved design on the rear elevation at the site and has evidently been incorporated to protect nearby amenity (see the amenity section below for details). Set within this context the proposals at this point are considered to be satisfactory.



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As before, given the sensitivity of the site within a conservation area and close to listed buildings, exact material details will be secured via condition, as recommended by the Historic Buildings Consultant. Accordingly, in overall terms, it is considered that the proposals are appropriate in listed building / conservation area / other heritage asset terms. Hence, the proposed works are considered to comply with Policies CC7, EN1, EN3, EN6 and national policy contained within the NPPF 2019 and associated guidance.

c) Amenity - for future occupiers and impact on neighbours

Considering the future occupiers of the proposed units first, the applicant has submitted commentary which seeks to respond to the relevant criteria in Policy H5.

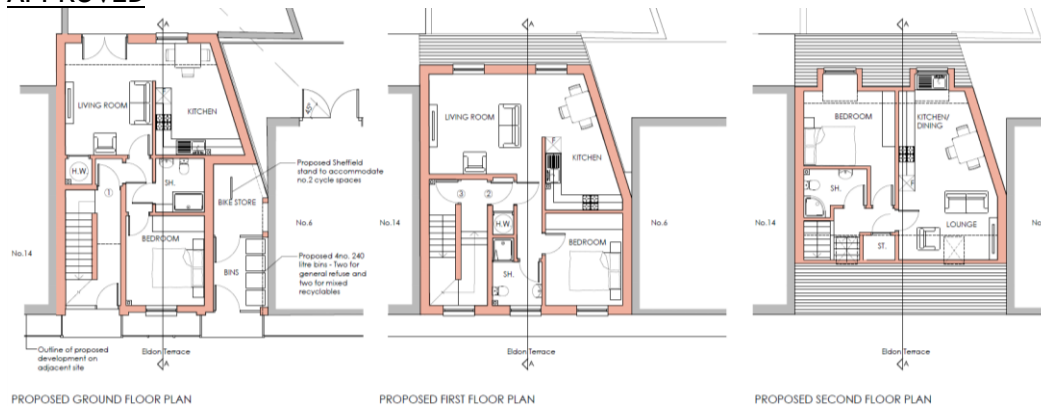
The three units exceed the minimum gross internal floorspace standards, with the one-bed units being 52.8 & 53.4sqm (above 50sqm for a 1-bed, 2-person unit) and the two-bed unit being 62.5sqm (above the 61sqm for a 2-bed, 3-person unit). Sufficient storage space and bedroom sizes are provided and the 2.3m minimum floor to ceiling height is achieved. The proposals therefore evidently comply with Policy H5a.

In terms of water efficiency (H5b), the applicant has specified that the proposed development will comply with the maximum water consumption levels outlined within Approved Document G table 2.2 as to not exceed 110 litres / person / day through the specification and installation of fittings. With regard to emission rates (H5d) the applicant has identified a variety of fabric, heating & hot water and power & lighting measures to achieve a minimum 19% improvement in dwelling emission rates. In respect to both these matters, the information submitted is sufficient for the purposes of the application, with two conditions (one pre-commencement and one pre-occupation) securing the actual details as to precisely how the standards will be achieved.

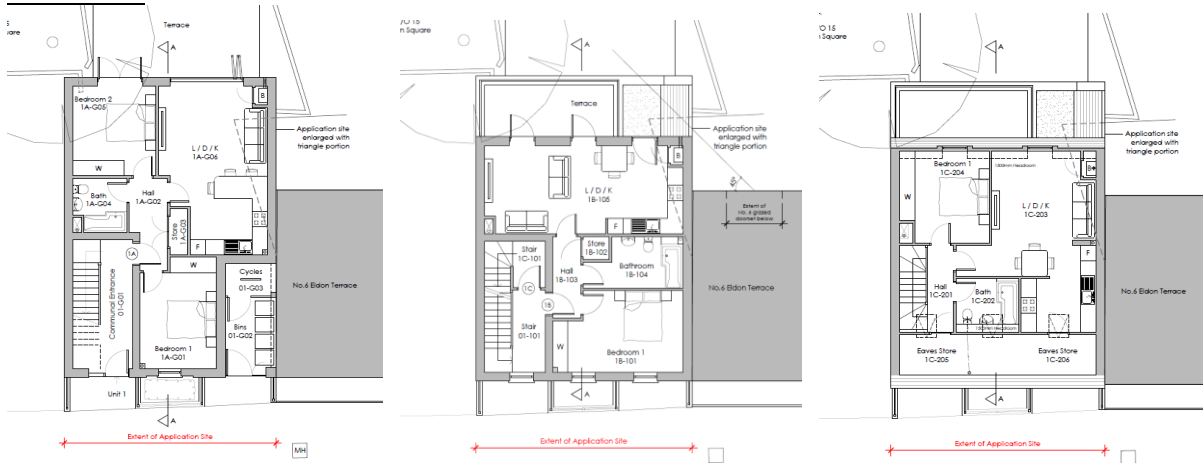
With regard to the accessibility details of the proposals, the applicant has specified a variety of measures (concerning matters such as step free access to ground floor spaces, entrances and widths) to demonstrate that the development has been designed to comply with the requirements of Building Regulations part M4(2). This is welcomed and supported.

As such, the applicant has sufficiently demonstrated that the proposals will comply with the Policy H5 standards. More generally, units/layouts provide a suitable standard of accommodation for future occupiers, with the room shapes more regular than permission 180467. The ground floor unit will have access to the rear amenity space and the first floor flat will have access to a rear balcony area. Whilst it is acknowledged that the roofspace flat will not have external amenity space on site, and that this is a shortfall, the site constraints and proximity to nearby open space means this is adequate in this instance. The waste storage and cycle parking facilities are conveniently located internally at ground level and are subsequently welcomed. The cycle parking will be secured via a compliance condition, while the bin storage will be secured via a pre-occupation condition to secure EP recommended measures to prevent pests and vermin. EP officers have also recommended a number of conditions to protect future amenity.

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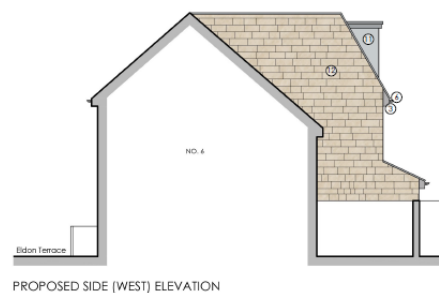
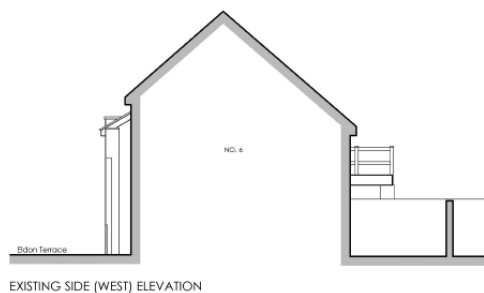


Turning to consider the impact on nearby occupiers, the proposals in themselves are considered to be appropriate. Furthermore, when considered within the context of permission 180467, the proposals are not considered to significantly worsen the consented position. More specifically, it is acknowledged that the proposals result in a different amenity impact to 6 Eldon Terrace (immediately to the west of the application site) than previous. The enlargement of the application site (in comparison with 180467) means that instead of being angled away from No. 6, the proposed built form now abuts the newly formed boundary. This results in a 4.3m deep extension on the boundary with No. 6, with a two storey and roofspace element being 2m in depth on the boundary.

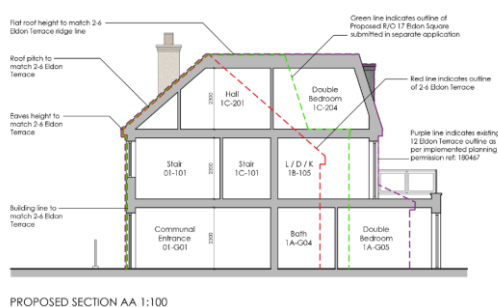
It is acknowledged that on the element which extends at ground floor level, the applicant has incorporated a lean to roof away from the boundary, thereby minimising the height on the boundary at eaves level to 1.9m (which considering a boundary fence could be 2m is minimal). The proposed terrace on the rear first floor level has intentionally been set back from the boundary with No. 6 to overcome potential overlooking into the rear rooms of the neighbouring terrace, albeit some overlooking will be possible into the rear amenity space (whilst also noting that the recently demolished building included a first floor rear terrace too). Hence, whilst the proposal undoubtedly results in a change in context with the existing (vacant) and pre-existing (former building) environment, the applicant has taken reasonable steps to minimise the loss of outlook and reduce any overbearing or sense of enclosure impacts to No. 6 (and No's 2 & 4 to a lesser extent) through the steps incorporated. As such, whilst not ideal, it is not considered that the proposals would cause such a detrimental impact on the living environment of existing residential properties at this point to warrant a sustainable reason for refusal of the application. In terms of the proposed roof terrace element, a condition will specify that only the area shown as a terrace will be permitted to be used as such, to protect nearby amenity. The setback of the terrace away from the boundary with No. 6, in conjunction with the footprint of the No. 6 garden, means no privacy screen is required at this point. In all other CC8 regards, the proposals are considered to suitable protect the amenity of the neighbouring occupiers to the west.

With regard to the neighbouring site to the east (17 Eldon Terrace - see relevant history above), no windows are proposed on the side elevation and the proposals are not considered to conflict or compromise the already approved redevelopment of that site, nor the current separate application under consideration by the local planning authority. In this regard the applicant has submitted plans demonstrating the relationship with and without the neighbouring site coming forward, and in both instances amenity is maintained at the neighbouring site. Whilst noting that rear elevation windows and a roof terrace will provide opportunities for overlooking into the neighbouring site, the approved/proposed layout at the neighbouring site is such that both sites can co-exist next to one another without any significantly harmful amenity impacts.

APPROVED



PROPOSED



For properties to the south which front onto Eldon Square, it is acknowledged that the built form will be 1.1m deeper at ground floor level (in comparison with approval 180467) and a first floor rear terrace is proposed in this instance. However, the back to back distance is a minimum of 24m, which exceeds the 20m referenced in Policy CC8 as usually being appropriate between dwellings. As such, no detrimental amenity impacts are envisaged and no requirement for soft landscaping, as requested in a public consultation response received, is considered necessary. For properties on the north side of Eldon Terrace, the current proposal is comparable with permission 180467. As was considered the case at that time, it is similarly considered that no significantly harmful amenity impacts are envisaged.

d) Transport Issues

As per section 6a above, the proposals are considered acceptable in relation to all transport related matters, subject to conditions. In particular, it is considered necessary to impose a Construction Method Statement in this instance, as the level of construction work will be significant on a relatively narrow highway with other residential properties in close proximity.

As was the case at the time of permission 180467, and even more so now owing to the site being vacant, it will be secured via condition for all 3 units to be subject to restrictions on on-street parking permits. This will be secured via the standard conditions and informative.

e) Affordable housing

At the time of the original submission of the application the applicant submitted an affordable housing statement outlining that the proposals would seek to make a financial contribution towards affordable housing, in line with Policy H3. In the days subsequent to the registration of the application, the applicant then submitted a viability document seeking to demonstrate that the scheme could not viably proceed with any contribution towards affordable housing (thereby seeking to justify a nil contribution). The viability submission has been duly assessed, with a nil contribution not agreed by RBC Valuations. In subsequent discussions, the following negotiated contribution towards affordable housing was agreed, as per section 6e above:

- Financial contribution towards affordable housing elsewhere in the borough of £24,000
- Deferred mechanism for viability to be reviewed again at a later date, with the potential for an additional £12,000 (capped) to be secured should viability dictate (making the total overall potential contribution towards affordable housing potentially be up to £36,000, when both the Affordable Housing Contribution and Deferred Housing Contribution are combined).

In line with Policy H3, this is considered to be an appropriate contribution towards affordable housing and the maximum reasonable amount in the context of the viability evidence, policy climate and also the £22,333.35 contribution agreed at the time of permission 180467 at the site. With the above contribution and deferred mechanism secured via legal agreement, the proposals are policy compliant. These affordable housing obligations would comply with the National Planning Policy Framework and Community Infrastructure Levy (CIL) in that they would be: i) necessary to make the development acceptable in planning terms, ii) directly related to the development and iii) fairly and reasonably related in scale and kind to the development.

f) Other matters - Sustainability, Air Quality, Trees/landscaping; ecology; CIL; pre-commencement conditions

Sustainability - the sustainability credentials of the proposals have already been detailed in the amenity for future occupiers section of the assessment.

Air Quality - Although the application site is located within an air quality management area and that residential is classified as a 'sensitive use', Environmental Protection colleagues have confirmed there to be no specific concerns with the proposals in this regard, owing to the specific location of the site.

Trees/landscaping - as per the observations at sections 6c above, the proposals are considered satisfactory in these regards subject to conditions.

Ecology - Part 'b' of Policy EN12 indicates that all development sites should not result in a net loss of biodiversity or geodiversity, and should provide a net gain for biodiversity wherever possible through new tree planting, wildlife friendly landscaping and other ecological enhancements. Accordingly, it is considered necessary and reasonable to include a condition prior to construction commencing (to ensure it is an inherent part of the proposed design and not a retrofitted afterthought) detailing proposed locations and specifications of biodiversity enhancements (including bird nesting and bat roosting features on or around the new building).

CIL - The applicant has submitted CIL liability information. In discussion with the Infrastructure Monitoring Officer, based on a GIA of 207.76sqm, this will result in a (2020 CIL rate) liability of £32,655.71. However, in light of the previous permission at the site (it is understood that this has already been paid), then the proposals may in the future be able to apply for abatement. The Infrastructure Monitoring Officer has confirmed that presuming that the applicant assumes liability and applies for abatement prior to any commencement of the new application, the abatement process would allow for the carry forward of the original demolition off set, resulting in a new liability of £18,713.43. Abatement would then carry forward an allowance of £13,433.22. This would result in a CIL Demand to pay of £5,280.21 as part of this application (effectively relating to the increase in floorspace created as a result of this application).

Pre-commencement conditions - In line with section 100ZA(5) the three pre-commencement conditions referenced below have been agreed in writing by the agent (email on 01/10/2020).

Conclusion

It is considered that the proposals are acceptable for the reasons set out in this report. When applying a critical planning balance to all material considerations, the planning benefits of the proposals are considered to outweigh any disbenefits of the scheme.

10. RECOMMENDATION:

Grant Planning Permission subject to a s106 legal agreement to secure a financial contribution towards affordable housing (£24,000) and a deferred mechanism to re-visit the viability position at a later date (potentially facilitating a further financial contribution towards affordable housing of up to £12,000), and the following conditions:

11. Conditions

1. The development hereby permitted shall begin no later than *three* years from the date of this planning permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

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

15023-PL-30 Site Location Plan
As received 08/07/2020

15023-PL-48 Proposed Site Plan
15023-PL-49 Proposed Ground Floor Plan
15023-PL-49A Proposed Ground Floor Plan
15023-PL-50 Proposed First Floor Plan
15023-PL-50A Proposed First Floor Plan
15023-PL-51 Proposed Second Floor Plan
15023-PL-51A Proposed Second Floor Plan
15023-PL-52 Proposed North Elevation
15023-PL-53 Proposed South Elevation
15023-PL-54 Proposed East West Elevation and Section AA
As received 10/08/2020

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

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

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

4. The following shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a). Sample panel of the facing stonework materials which demonstrates stone type, colour, texture, face bond, mortar mix and pointing, to be erected on site and maintained there during the course of construction;

b). Samples and manufacturer's details of the roof materials;

c). Plan and elevation drawings, with materials annotated, of all new windows at a minimum scale of 1:10;

d). Plan and elevation drawings, with materials annotated, of all new doors at a minimum scale of 1:10;

e). Manufacturer's details of the conservation type rooflights, fitted flush with or below the roof covering.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: In the interests of ensuring the design quality of the proposed development, to safeguard the character and appearance of the Eldon Square Conservation Area and to ensure that the proposals are appropriate to the setting of the special architectural and historic interest of the nearby listed buildings, in accordance with Policies CC7, EN1, EN3 and EN6 of the Reading Borough Local Plan 2019.

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

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

The measures within the approved Statement shall be adhered to throughout the demolition and construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: These details are required due to insufficient information being contained within this submission and in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in accordance with Policy CC8, EN16 and TR3 of the Reading Borough Local Plan 2019.

6. No dwelling hereby permitted shall be occupied until the bicycle parking facility for that dwelling has been provided in accordance with hereby approved plan 15023-PL-49 Proposed Ground Floor Plan as received 10/08/2020. The facility shall be kept available for bicycle parking at all times thereafter.

Reason: To encourage travel by sustainable alternatives to driving a motorcar in accordance with Policies TR1 and TR5 of the Reading Borough Local Plan 2019.

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

Reason: To ensure that sufficient provision is made for the storage and collection of refuse and recyclables and to safeguard the amenity (including visual amenity) of existing nearby / future occupiers / road users from potential disturbance and/or smells and highway safety, in accordance with Policies CC5, CC7, CC8 and TR3 of the Reading Borough Local Plan 2019.

8. No residential unit hereby approved shall be occupied until the Local Planning Authority has been notified in writing of the full postal address of the unit(s) hereby approved. The notification shall be sent to the Local Planning Authority quoting the application reference specified on this Notice.

Reason: In order that the Council can update its records to ensure that parking permits are not automatically issued to the occupiers of the new residential units hereby approved, and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

9. Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential unit(s) hereby approved, the prospective occupier/transferee shall be informed that there is no automatic entitlement to a car parking permit for any existing residential parking permit schemes and future schemes on adjacent and surrounding streets. All material used for advertising or marketing the residential unit(s) for letting or sale shall make it clear to prospective tenants and occupiers that they will not be automatically entitled to a parking permit, but any application for a parking permit will be considered on its merits.

Reason: In order that the prospective occupiers are made aware of the fact that while they can submit an application they will not be automatically entitled to an on-street car parking permit. In the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area Policy TR3 and TR5 of the Reading Local Plan 2019.

10. * No development shall commence on site until written verification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings hereby permitted have achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate as defined in The Building Regulations for England Approved Document L1a: Conservation of Fuel and Power in New Dwellings (2013 edition), and built to the higher water efficiency standard under Regulation 36(3). Such evidence shall

be in the form of a 'design stage' Standard Assessment Procedure (SAP), produced by an accredited energy assessor.

Reason: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policies CC2 and H5 of the Reading Borough Local Plan 2019.

11. The development hereby permitted shall not be occupied until written verification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings hereby permitted have achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate as defined in The Building Regulations for England Approved Document L1a: Conservation of Fuel and Power in New Dwellings (2013 edition), and built to the higher water efficiency standard under Regulation 36(3). Such evidence shall be in the form of an 'As Built' Standard Assessment Procedure (SAP), produced by an accredited energy assessor.

Reason: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policies CC2 and H5 of the Reading Borough Local Plan 2019.

12. No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0800hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

Reason: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

13. Prior to first occupation/use of the building hereby approved, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall specify means of treatment for hard surfaced areas, means of enclosure including mammal gaps where appropriate, specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees and tree pit specifications where appropriate), and must include a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building or in accordance with a timetable agreed in writing with the Local Planning Authority. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

Reason: In the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

14. * No development shall take place until a scheme detailing the locations and specifications of biodiversity enhancements (including bird nesting and bat roosting features on or around the new buildings) shall be submitted to and approved in writing by the local planning authority. The biodiversity enhancements permitted shall be carried out in accordance with the approved plans and documents prior to the first occupation of any residential unit and shall be retained thereafter.

Reason: To incorporate biodiversity enhancements in and around developments and in the interests of the visual amenities of the locality and local wildlife in accordance with Paragraph 175 of the NPPF (2019), Policies CC7 and EN12 of the Reading Borough Local Plan 2019, the Wildlife and Countryside Act 1981 (as amended).

15. Only the area of external terrace annotated as such on approved plan 15023-PL-50A Proposed First Floor Plan shall be used for such purposes. No other roof area hereby permitted shall be used as a balcony, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy CC8 and H9 of the Reading Borough Local Plan 2019.

INFORMATIVES:

1. i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.
ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.
2. The occupiers of the residential unit(s) will not be automatically entitled to an on-street car parking permit. Current and new occupiers should be informed of this and be advised to find out more about parking permits on the Council's website. There is already a high level of on street car parking in the area and the site is located close to local facilities, with frequent public transport services on nearby roads.
3. To minimise the disturbance by noise of future residential occupiers of the flats and its effect on neighbouring residents, residential accommodation must be designed and constructed or converted so as to achieve the insulation requirements set out in Building Regulations Approved Document E.
4. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside

reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.

5. A section 106 Agreement has been completed for this development. A copy of the S106 Legal Agreement is available on the Council's Public Register of Planning.
6. In accordance with Article 35 (DMPO 2015) some conditions have been highlighted (with a *) to make clear that they require approval from the Local Planning Authority before any development begins. This is because the details need to be designed or works implemented before any other works start on the site or are of a nature that it would be impractical to consider after work has started.
7. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.
8. Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.
9. During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at: www.communities.gov.uk/publications/planningandbuilding/partywall
10. The Council introduced the Community Infrastructure Levy (CIL) on 1st April 2015. CIL is a way of securing financial contributions towards infrastructure from new development, and partially replaces the Section 106 planning obligation regime. It is a set charge per sq m of floorspace for different uses, and, unlike Section 106, it is non-negotiable. It applies to developments which result in at least one dwelling; where the space has not been in lawful use for 6 months within the last 3 years or 100 sq m of new floorspace. For this approved development the CIL status is chargeable. If chargeable you will be sent a CIL Liability Notice with the calculated amount soon. CIL becomes payable on commencement of the development or by instalments.

For more information go to: http://www.reading.gov.uk/media/2791/Community-Infrastructure-Levy-Advice-to-Applicants/pdf/CIL_Advice_to_Applicants.pdf