

DELEGATED APPLICATION REPORT - Application No. 191603/OUT

Address: After Dark 112 London Street

Proposal: Outline application considering access, appearance, layout and scale involving demolition of existing nightclub building and construction of a 3-storey building containing 6 self-contained C3 residential flats (landscaping reserved for future consideration)

Case officer: Matt Burns

Site Description and Surrounding Area

The application site relates to the After Dark night club, which lies to the rear of 110-114 London Street in central Reading (Listed Grade II). The frontal buildings on London Street are in B1(a) (architects' office) use for No. 110 and A2 (Financial and Professional Services) use as employment agency in No. 114. No. 114 now has its primary access from the covered passageway between 110 and 114. The site offered for development, however, is not being promoted in connection with the frontal buildings or any other adjoining site. No. 108 (to the north) is also listed and is in office use and may be vacant. The development to the south, 118-128 London Street, is a modern block of serviced apartments.

The site is located within the Market Place/London Street Conservation Area. It consists of a long, narrow building, which occupies the majority of the site, connected by walls and 'temporary' canopy structures to 110 and 114 and extends all the way to St. Giles Close. The building has had a long and varied history and is made up of a number of elements. The two-storey building at the entrance houses the ticket office, cloakrooms, bar and part of the dancefloor at ground floor and storage rooms and a manager's office at first floor. It has a shallow hipped roof and may be of Victorian construction, although much altered. Then after a slightly raised single-storey section, the building continues westwards with a large flat roofed single-storey element which at the western end has a parapet roof. There are various other small flat-roofed extensions. The southern wall (externally) features some interesting brick arches which appear to be indicative of a former industrial use.

Proposal

The application seeks outline planning permission, considering access, appearance, layout and scale for the demolition of the existing nightclub building and construction of a 3-storey building containing 6 self-contained C3 residential flats with landscaping reserved for future consideration.

Plans Considered

Drawing no.s

1230 40 - Proposed Plans

1230 41 - Proposed Elevations

1230 41 - Block Plan

Location Plan

Received by the Local Planning Authority on 4th October 2019

Relevant Planning History

161935 - Demolition of existing night club and erection of 10 new residential Class C3 apartments (5 x 1 bed and 5 x 2 bed) with courtyard garden, cycle and bin storage: Planning permission refused for the following reasons:

- (1) The proposal is a poor design solution in terms of its layout/location and height, bulk and massing. This would have a significant detrimental impact on the rear setting of Listed Buildings on London Street, failing to preserve or enhance views in this part of the Market Place/London Street Conservation Area. In addition, the general crampedness and lack of opportunity for landscaping, no active frontage to the streetscene/failure to connect visually to the site frontage of St. Giles Close and failure to relate to the existing pattern of development will produce a development which is neither comprehensive nor sympathetic to the character of the area. For these reasons the proposal is contrary to the National Planning Policy Framework (2012) Sections 7 and 12; Reading Borough LDF: Core Strategy (2008, amended 2015) policies CS3 (Social Inclusion and Diversity), CS5 (Inclusive Access), CS7 (Design and the Public Realm), CS33 (Protection and Enhancement of the Historic Environment); and Reading Borough LDF: Reading Central Area Action Plan (RCAAP) (2009) policies RC5 (Design in the Centre) and RC14 (Public Realm).*
- (2) The development would produce substandard accommodation in terms of quality and security of approach, natural surveillance, adequate light levels, privacy, access for all, amenity space and cycle parking, contrary to the National Planning Policy Framework Section 7; Reading Borough LDF: Core Strategy Policies(2008, amended 2015) policies CS3 (Social Inclusion and Diversity), CS5 (Inclusive Access), CS7 (Design and the Public Realm), CS24 (Car/Cycle Parking); Reading Central Area Action Plan (RCAAP) (2009) policies RC5 (Design in the Centre), RC9 (Living in the Centre), RC14 (Public Realm) and Reading Borough LDF: Sites and Detailed Policies Document (SDPD) (2012, amended 2015) policies DM4 (Safeguarding Amenity) and DM10 (Private and Communal Amenity Space), and the Council's Revised Parking and Design SPD (2011).*
- (3) The development will result in a significant detrimental impact to the living environment of existing residential properties in Nelson Mews and at 118-128 London Street, through detriment to privacy and overlooking, and the visual dominance and overbearing effects of the development, contrary to the Reading Borough LDF: Reading Central Area Action Plan (RCAAP) (2009) policies RC9 (Living in the Centre) and Reading Borough LDF: Sites and Detailed Policies Document (SDPD) (2012, amended 2015) Policy DM4 (Safeguarding Amenity).*
- (4) The development has failed to contribute towards the provision of affordable housing in the Borough, contrary to Reading Borough LDF: Sites and Detailed Policies Document (SDPD) (2012, amended 2015) Policy DM6 (Affordable Housing) and the Council's Affordable Housing SPD (2013).*

- (5) *The development has failed to either provide a construction phase Employment and Skills Plan (ESP) or a contribution towards the provision of an ESP and has therefore failed to mitigate the harm caused to the local employment market as a result of the development, contrary to Reading Borough LDF: Core Strategy (2008, amended 2015) policies CS9 Infrastructure, Services, Resources and Amenities), CS13 Impact of Employment Development); and Reading Borough LDF: Sites and Detailed Policies Document (SDPD) (2009, amended 2015) Policy DM3 (Infrastructure Planning) and the Council's Employment, Skills and Training SPD) (2013).*

177213FUL - Demolition of existing building and erection of 2 x class C3 residential apartment blocks comprising 6.No. flats - Withdrawn

181576PREAPP - Demolition of existing night club and possible rebuild, plus erection of 4-5 new build residential self-contained apartments at 112 London Street - Advice given

Consultation Responses

RBC Transport Strategy: does not object to the application, subject to conditions such as requiring a construction method statement (CMS), details of cycle parking and details of bin storage.

RBC Environmental Protection: does not object to the application, subject to standard conditions relating to construction impacts and contaminated land.

RBC Natural Environment Team (Tree Officer): does not object - final details to be secured as part of the reserved matters.

RBC Ecologist: does not object to the application - satisfied that the bat survey demonstrates that the building is unlikely to host roosting bats.

Berkshire Archaeology: does not object subject, to a condition to require implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted to and approved by the Local Planning Authority prior to the commencement of development.

Thames Valley Police Crime Prevention Design Advisor (CPDA): No objection but considers some aspects of the design and layout to be problematic in crime prevention design terms.

The Conservation Area Advisory Committee (CAAC) has provided objections/comments and these are summarised as follows:

- This application should be rejected because of the loss of a valued unlisted heritage asset within a conservation area.

- The building has also been in community use for over 200 years, most recently a club but also as a church, church hall and a Foresters' Hall. Retention in community use is preferable to redevelopment.
- Were this site to be redeveloped the proposal should enhance the CA by its design and that is not the case with this application. Details of materials are not given and so it is impossible to comment on their appropriateness.
- Many of the documents appended to the application are out of date and do not accord with the current proposal and are of limited use in assessing the development.
- The building is too tall and will be detrimental to the amenity of neighbours, particularly at 110 and 114 London Street.

Public Consultation

No. s 108, 110A, 114, 118-128 London Street, no.s 5-11 Nelson Mews and no.s 28-34 St Giles Close were notified of the application by letter. 2 x site notices were also displayed at the application site.

Seven letters of objection have been received raising the following issues:

- The application includes land over the basement of no. 114 London Street.
- The proposals would exclude access to St Giles Close for no.s 110 and 114 London Street.
- The application proposes access from London Street via the existing alleyway gates and architrave belonging to no. 114 who have not agreed this use.
- Existing drainage and subsidence issues to the alleyway are not addressed as part of this application.
- The height and scale of the proposals would deny air flow to the London Street frontage building which is required to reduce condensation and maintain temperatures to reduce unnecessary deterioration to these listed buildings.
- The height and scale of the proposals would reduce natural light to the occupants of the London Street frontage buildings and increase use of interior lighting, increasing energy usage.
- The application does not set out how it will preserve the basement vault wall of no.114 London Street.
- Overbearing to the central courtyard area of no 108 London Street which is in the process of being converted to residential use.
- Loss of another live music venue in Reading
- The After Dark is part of the cultural fabric of Reading and regularly caters of LGBTQ+ events its demolition would harm Reading's music and cultural scene and de-platform marginalised communities.
- Detrimental impact on the character and appearance of the area (with regard to: poor design, poor amenity for future occupiers, loss of amenity for neighbours, drains/sewers and traffic)
- Loss of amenity for Reading
- Loss of a building that potentially should be listed.

Equality Act

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

Relevant Planning Policy and Guidance

Section 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.

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

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
EN1: PROTECTION AND ENHANCEMENT OF THE HISTORIC ENVIRONMENT
EN2: AREAS OF ARCHAEOLOGICAL SIGNIFICANCE
EN3: ENHANCEMENT OF CONSERVATION AREAS
EN6: NEW DEVELOPMENT IN A HISTORIC CONTEXT
EN12: BIODIVERSITY AND THE GREEN NETWORK
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
H11: DEVELOPMENT OF PRIVATE RESIDENTIAL GARDENS
TR1: ACHIEVING THE TRANSPORT STRATEGY
TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS
TR4: CYCLE ROUTES AND FACILITIES
TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING
CR1: DEFINITION OF CENTRAL READING
CR2: DESIGN IN CENTRAL READING
CR4: LESIURE CULTURE AND TOURSIM IN CENTRAL READING
CR6: LIVING IN CENTRAL READING

Supplementary Planning Guidance

Sustainable Design and Construction SPD 2019
Revised Parking Standards and Design SPD 2011
Affordable Housing SPD 2013
Section 106 Planning Obligations SPD 2013

Appraisal

The main issues to be considered are:

- Loss of night club and proposed residential use
- Heritage considerations
- Suitability of the design response in this sensitive area
- Unit mix
- Quality of residential accommodation
- Impact on adjoining properties
- S.106 contributions and CIL

Loss of nightclub and proposed residential use

There has been a nightclub/dance hall use on this site for a very long time and this is the established planning use of the premises/site. However, it is sited in a relatively dense urban area where there are now likely to be many more residential properties in close proximity than in the past. Were a planning application now received for this change of use (to a night club), such is unlikely to be given planning permission as it is essentially a non-conforming use in this area which contains residential uses.

As a recognition of the disturbance that night clubs can cause (noise, vibration, anti-social behaviour, etc.) night clubs have their own planning use class and they are a *sui generis* or 'unique' use. Therefore, its removal from the area and replacement with a residential use is supported when assessed against Policy CC8 (Safeguarding Amenity), providing that the replacement scheme is itself acceptable.

Objections from members of the public have been received seeking to protect the After Dark in situ and also ask that it be given some sort of policy protection, for instance, the same as that applied to public houses or community facilities. Firstly, it should be born in mind that these premises could - without any control by the Planning Department - be operated by a completely different club and one which is not so popular with the public or the amenities of surrounding neighbours.

Secondly, this is not a community use or a public house outside the town centre area, therefore there is no conflict with adopted planning policies OU1 or RL6 which protect these types of uses from redevelopment.

The club is in a mixed residential/office/retail area and during its hours of operation, has the potential to cause considerable residential disturbance. The Council's Licensing and Environmental Protection teams advise that the number of complaints from the After Dark club is actually very low. Overall however, the removal of this non-compatible land use from a location where there is potential to cause nuisance is supported and other Council policies seek to ensure that such uses are situated in the central part of the town centre.

Overall, officers identify no planning policy conflict with the principle of removing the night club use from this area. The principle of this was established under the previous application for redevelopment of the site (161935) to which loss of the existing facility did not form a reason for refusal of the application.

The site is on previously developed land within the urban area and is therefore considered suitable for development in principle. The proposed C3 residential use would provide an additional 8 dwellings to the Borough's housing stock, the principle of which would align with the broad objectives of Policy H1 in assisting meeting annual housing targets whilst the location and accessibility of the site for residential development is considered to accord with Policy CC6.

Heritage considerations

Policy EN1 (Protection and Enhancement of the Historic Environment) which seeks that proposals protect and where possible enhance the significance of heritage assets and their setting, Policy EN3 (Enhancement of Conservation Areas) which seeks that the special interest, character and architecture of Conservation Areas is conserved and enhanced and Policy EN6 (New Development in a Historic Context) which seeks that in areas characterised by heritage assets that the historic environment informs and shapes new development.

The applicants heritage statement identifies the southern wall on the application site which can be seen from the car park of the served apartments at no. 118-128 London Street as the last remaining remnant of what was the large tin works factory complex in the St. Giles Close area and has at some point been joined to the hall building with a flat roof, leaving a covered passageway along the southern flank of the site. The wall has characteristic blind windows and flattened arches, reminiscent of a Victorian factory wall. The wall is an important surviving physical and cultural marker of the Huntley, Boorne & Stevens tin works, which made the tins

for Huntley & Palmers Biscuits. The production of biscuits was one of the three main industries that made Reading famous in the Victorian period. The boundary wall is to be retained as part of the current application.

During consideration of the previous application (161935) there was significant discussion as to whether or not this remaining wall element and indeed no. 112 itself formed part of the listing or curtilage listing of the building fronting London Street. Advice was sought in this respect from Historic England who advised that the listing description refers to 110 *and* 114 not 110 *to* 114. They commented that whilst mention is made of a passage to the Oddfellows Hall that simply states that there is a passage, it does not imply that the hall is included in the listing. As such it was considered, at the time, that there was not ground to refuse the previous application on failure to appropriately identify and consider all heritage assets.

However, the officer report at the time did acknowledge that this was not a definitive response from Historic England and rather just an assessment of the wording of the listing rather than any detailed review of the historic context/history of the site.

The applicant's heritage assessment has considered the current proposal on the basis of the decision and refusal of application ref. 161935 which, did not include a reason for refusal relating to failure to identify the historical significance of the building. As such a listed building consent application has not been submitted.

Further investigation of the hall building was undertaken by the Planning Department with the Council's Conservation Consultant along with valuable input from the CAAC during consideration of withdrawn application ref. 172213 for a similar residential development on the site. A summary and commentary of what is known of the building's history is set out in the paragraphs below.

The present building has been used in approximately its present envelope and use (as a night club) for the past 40 years or so. Historical information seems to indicate that the use of the taller element of the building at least, was originally used as a church hall (St Giles) from about 1800. The footprint of the existing taller element of the building is reflective of that shown on historic maps dating as far back as 1879. The building was also used as auction rooms, a chapel and later a dance hall, a hall in association with the Ancient Order of Foresters at No. 110 (listed building to the front of the site) and then its present use as a night club. There have been various extensions over the years, mostly in the Twentieth Century and in particular the north-west corner, where an area of the rear garden of No. 108 appears to have been assimilated into to the premises. The taller element of the present building also displays historic brickwork - Flemish bond with burnt headers and a hipped slate roof.

The listing of no.s 110 and 114 describes the passage leading to the 'Oddfellows Flail' [sic] (this is thought to be a typo and should read, 'hall' (see appendix 1). The date of the frontal buildings (circa. 1790) chimes with the earliest records in the Local Studies Library for activity on the site (use of 112 London Street as St. Giles Young Christian Association hall from about 1800). On site, there are linking side walls to the edges of the site which physically attach the hall to the frontal buildings (and may also link underground as well) and the entrance canopies to the club link the two structures. The precise boundaries are not always easy to determine from the listing description, but it would also seem odd for the listing to cover the passageway/alley

and mention the hall to the rear, but not intend for it to be included. Research provided also indicates that the three buildings (no. 110, 112 and 114) were in single ownership from the early nineteenth century to 1918.

Historic England guidance note 10 - Listed Buildings and Curtilage (February 2018) sets out that the 3 main factors to be taken into account when assessing whether a structure or object is within the curtilage of a listed building are:

- the physical layout of the listed building and the structure;
- their ownership, both historically and at the date of listing; and
- the use or function of the relevant buildings, again both historically and at the date of listing

In officers' opinion it is apparent that there are some links between the London Street frontal buildings and no. 112 both in terms of history and ownership. Elements of the existing building on site also display historic features that could chime with small hall building known to have been in this location.

However, Historic England again reviewed the evidence summarised above when commenting on withdrawn application ref. 172213 and advised that they could see no sound reason to consider no. 112 London Street to be listed and have commented as follows:

'To be considered curtilage the Courts have held that a structure must be ancillary to the principal building, that is it must have served the purposes of the principal building at the date of listing, or at a recent time before the date of listing, in a necessary or reasonably useful way and must not be historically and independent building. Where a self-contained building was fenced or walled-off from the remainder of the site at the date of listing, regardless of the purpose for which it was erected and is occupied, it is likely to be regarded as having a separate curtilage. The structure of building must still form part of the land, and this probably means that there must be some degree of physical annexation to the land.'

'110 and 114 are listed as a pair of late 18th century townhouses. While the passage to the hall is mentioned the hall is not explicitly included in the list description. 112 seems to have been walled off from 110 and 114 at the date of listing. It had a completely separate entrance, through the passage and there appears to have been no interconnection between the two. On that basis I think it fair to conclude that 112 is an independent building with its own curtilage, regardless of the fact that 110 and 112 were occupied by the same organisation. Furthermore, 112 was not ancillary to 110. They may have shared the same occupier for a time but surely the principal building for the Ancient Order of Foresters was the hall, and their offices were ancillary to the hall rather than vice versa.'

Given this is Historic England's interpretation of its own listing description and also the additional evidence referred to above this opinion should be given weight.

As such officers conclude, as per the previous application and based upon the evidence available at this time, that there is not sufficient ground to refuse the application on the failure of the applicant's heritage assessment to appropriately identify and consider all heritage assets.

There is currently uncertainty in relation to the underground connections which may exist between the frontal buildings and the club building. As far as is known, the club has no cellar area. However, the vault to the rear of No. 114 appears to be abruptly cut off at the start of the easternmost wall of the club above and the vault may in fact continue westwards. This vault also has what appears to be a capped access hatch at ground level, which may also have allowed some kind of connection to the club building in the past. There are concerns that the condition of the premises and the passageway may be leading to damage to adjacent buildings. This is Civil concern of itself, but it may also be indicative of underground connections between the buildings which are not currently apparent.

Proposed Design Response

Policy CC7 (Design and the Public Realm) seeks that development maintains and enhances the character of the area of the surrounding area. Policy CR2 (Design in Central Reading) seeks for form positive relationships between buildings in the town centre.

The impact of the proposed design response must be assessed in terms of the impact of the development upon on the setting of the adjacent listed buildings, surrounding conservation area and general character of the surrounding area.

It is important to note that contrary to the previously refused application (ref. 161935) application the current proposal seeks to retain the unlisted former tin factory boundary wall on the boundary with the car park of no. 118-128 London Street. This is considered a positive element of the proposed development.

The present hall building is in a relatively poor state of repair and there appears to have been a great many changes over the years (most may be unauthorised). The building's mostly single storey haphazard nature is not generally a positive contribution to the street-scene of St. Giles Close.

Officer's do not agree with the findings of the Applicant's Heritage and Design and Access Statement which considers that the proposals would not harm the setting of the London Street listed buildings or that of the London Street/Market Place Conservation Area.

At present the club building is only single storey and officers acknowledge that the backs of the frontal listed buildings include poor modern elements of limited aesthetic value. However, the replacement building would be three storeys in height and would represent a significant uplift in massing above the existing situation. Whilst the eastern part of the proposed building closest to the rear of the London Street listed buildings reduces in height to two and a half storeys, it is not considered that a building of this height and would achieve the required level of subservience to these listed buildings and would instead result in an overly bulky and

dominant addition harmful to their settings and contrary to Policies EN1, EN3, EN6, CC7 and CRS2.

In addition, the design and appearance of the proposal, based on the drawings provided, is considered to appear of poor quality and unsympathetic to its buildings historic setting. The shallow and irregular roof form, large blank facades to either flank elevation and lack of architectural details together with the massing are considered to exacerbate further the harm to the settings of the rear of the listed buildings.

Whilst at 17m the proposed building retains a greater separation from the rear of the London Street listed buildings that the previously refused and withdrawn applications this is not considered to off-set the scale of the proposed building and its lack of subservience and harm to the historic setting of the listed London Street frontal buildings. The proposed separation is greater than that of the existing buildings to rear of no. 106 and 108 London Street which have a separation of 8m and 10m between two storey elements and are attached to the rear of the frontal buildings via modest link corridor additions. However, the massing of these existing neighbouring rear additions is less dominant at two storeys only, whilst there is also a step down in levels to the element at the rear of no. 106, which means they retain a degree of subservience to the listed frontal buildings and views of the rear of the listed buildings from St Giles Close within the Conservation Area are retained. In contrast, at three storeys the proposed buildings would sit less than a metre below the ridge height of the host listed building and would obscure views of the rear of the listed buildings.

In terms of footprint the existing building fills the entire rear of the site. The proposed development is of a much lesser footprint than existing and that of the previously withdrawn and refused applications, retaining a 17.5m separation to the rears of no. 110 and 114 London Street (where a communal landscaped courtyard is proposed) and around a 7m set back from the St Giles Close providing, to some extent, a more spacious layout and form of development. However, the proposed building would be positioned directly on the southern boundary of the site and at its closest point, less than 1m from the north boundary. This limited separation to both flank boundaries together with then proposed height and massing of the building on what is a relatively narrow site is still considered to result in an overdevelopment of the site contrary to Policies EN1, EN3, EN6, CC7 and CR2.

Officers do not object to the conclusions of the applicant's heritage statement with regard to the lack of harm to the setting of the grade II listed buildings at no.s 7, 9 and 11 Church Street which are located some 40m to the north of the site and no. 104 London Street given the limited indivisibility and separation. However, it is considered the proposed height, scale and mass of the proposed block would overshadow the rear façade of the listed London Street frontage buildings and dominate their settings. In doing so, the proposed apartment block design would not achieve the requirement to 'preserve or enhance' the character and appearance of the Conservation Area.

Although the site is located within the Conservation Area, it is acknowledged that the Area is mainly concerned with the London Street frontage and then includes some associated land to the rear. Most of St. Giles Close is not in the Conservation Area. Nevertheless, the

development will have an impact on views into and within the Area and the development needs to be suitable in terms of the impact on the Area's setting.

Whilst the present building is a generally poor feature in the conservation area, in terms of its immediate frontage on St. Giles Close, its principal impact from the rear is comparatively limited, given its utilitarian and single-storey frontage and views to the upper floors of the rear of the frontage buildings to London Street are maintained. The proposal, at three storeys in height, would further obstruct views from within the conservation area to the rear elevations of the London Street listed buildings.

The character of St Giles Close is of a series of small-scale buildings, mostly residential, some offices. There are many 1980s/1990s infills and some small houses, including townhouses. Nevertheless, there is intimacy to the scale of the surroundings and the proposals with a three-storey block fronting St Giles Close and filling the width of the site is not considered to reflect the prevailing pattern of development and would be out of keeping with the character of the surrounding area. This is an overdevelopment which appears cramped, whether experienced from outside or inside the site.

The proposal, in terms of its layout, height, bulk and massing would result in cramped and visually dominant overdevelopment of the site. This would have a significant detrimental impact on the rear setting of principal Listed Buildings on London Street, failing to preserve or enhance views in this part of the Market Place/London Street Conservation Area. The proposal is considered contrary to Policies EN1, EN3, EN6, CC7 and CR2 of the Reading Borough Local Plan 2019.

Unit Mix

The proposed unit mix of 6 x 1 bed units is not acceptable. This unit mix would not accord with Policies H2 (Density and Mix) and CR6 (Living in the Centre) which require that residential developments contribute towards a mix of different sizes units (measured by number of different bedrooms). Policy H2 sets out that 2- and 3-bedroom units are most in demand in Reading.

Quality of residential accommodation

The narrow nature of the site and cramped form of development results in the creation of a narrow alleyway (less than 1m in width at its narrowest point) along the northern boundary of the site between the north elevation of the proposed building and the southern elevation of the two-storey rear element of no. 108 London Street. The only access point to the proposed building and all the flats would be from this constrained alleyway. This is considered to be a poor-quality of approach and access to the development. Even with a secure gated access, the narrow width of the alleyways would make passing difficult and unpleasant and in terms of crime and disorder potentially unsafe with poor levels of natural surveillance, particularly during night time. This issue has not been overcome from the previously refused application ref. 161935. The proposal is considered to be contrary to Policy CC7.

The flank elevations of both blocks would be subject to minimal and high-level glazing only such that overlooking and privacy, including that from the alleyway would not be an issue. To the front (facing St Giles Close) and rear (17.5m separation to the rear of nos 110 and 114 London Street) elevations the separation to neighbouring buildings is considered to be sufficient to prevent any undue overlooking to future occupiers in what is a fairly dense urban environment.

Whilst single aspect, flats 2 to 6 are considered to be served by adequate outlook and daylighting. However, flat 1 which is also single aspect is a semi-basement unit sunk partway down into the ground to the rear of the building facing the rear of nos. 110 and 114 London Street within the proposed semi-enclosed courtyard area. This is considered to result in a poor standard of outlook and daylighting for future occupiers of this unit which would be overshadowed by the London Street frontage buildings and the enclosed nature of the courtyard area. The units would also be served by a small sunken patio area enclosed by a fence which would further exacerbate the constrained outlook and daylighting to windows to this unit. Outlook, daylighting and overshadowing to flat 1 is considered to be unacceptably poor and contrary to Policies CC8 and CR6.

Policy H5 (Standards for New Housing) sets out that new housing outside of Central Reading should adhere to nationally prescribed space standards. Whilst the site is located within Central Reading the proposed floor plans indicate that the proposal would meet these standards. The units are therefore considered to be of a suitable size. Level access to the units would be obtained from St Giles Close.

The principle of the provision of communal amenity space is considered to be acceptable for flats in the centre of Reading as per Policy H10. This area is also considered to provide satisfactory potential for landscaping (Policies CC7 and CR2) details of could be secured by way of reserved matters. However, there are concerns as to how usable this space would be given that its enclosed nature directly abutting the rear of nos 110 and 114 London Street and surrounding by buildings as well as the siting of a large bin store and associated odour from this, particularly on hot days. Level access to the communal courtyard area would also not be possible with the area only accessible from the main/only entrance exist door to the building via steps. The proposed courtyard space is considered to provide a poor standard communal amenity space and to be contrary to Policy H10, EN16 and CC7.

The proposed courtyard bin store is located more than 15m from St Giles and bins would have to be carried up and down stairs due to the change in levels of the site. However, the store would be located within 15m of level access to London Street and it is from here where bin collection is proposed to take place. Details of the bin store and collection arrangements would be secured by condition.

No car parking is proposed to be provided for the development and the Highway Authority is satisfied that none is required in this proposal in this sustainable central Reading location, in accordance with Policy TR3 and TR5.

In accordance with the adopted Parking SPD, the development is required to provide a minimum of 0.5 cycle parking spaces for each dwelling which should be in a conveniently located,

lockable, covered store. This therefore equates to a minimum of 3 cycle parking spaces for this proposed development. Plans submitted illustrate cycle parking provision located within a courtyard area for 6 cycles with access provided from London Street. It is considered reasonable to secure precise details of the type of cycle parking to be provided by way of condition to ensure this would accord with the Council's standards should planning permission be granted.

Overall the development would fail to provide a suitable standard of residential accommodation in terms of outlook and daylight to flat 1 and the quality and security of approach, natural surveillance, amenity space and bin storage for the development as a whole. The proposal is considered contrary to Core Strategy Policies CC7, CC8 and RC2 of the Reading Borough Local Plan 2019.

Impact on adjoining properties

There is a flatted development accessed from St. Giles Close known as Nelson Mews which sits at an angled relationship to the rear car park serving 119-128 London Street and this has residential accommodation over a bridge for car access on the first, second and third floors. The rear elevation of no. 118-128 (serviced apartments), which adjoins no. 114, faces onto its rear car park with the application site and proposed development located 90 degrees to the north set directly on the site boundary where the old factory wall is to be retained. No. 108 London Street (including Prince Regent House to the rear) and nos 110 and 114 are in office use.

Other than a small number of small high-level windows serving bathrooms and the stair core which can be secured as obscurely glazed by way of condition the proposed building does not incorporate any side facing habitable windows. There is not considered to be any undue overlooking or loss of privacy to Nelson Mews, no. 118-128 London Street or nos 108, 110 and 114 London Street from the proposed development. The windows to the east (rear) elevation of the proposed building would face the rear elevations of nos 110 and 114 London Street at a distance of 17.5m which is considered to be sufficient to prevent any undue overlooking between the proposed development and the existing office accommodation to the London Street frontal buildings. In this respect the proposal is not considered to result in any undue overlooking or loss of privacy to surrounding properties.

The siting of the proposed building is not considered to result in any harmful overbearing impacts to the closest serviced apartment windows of nos 118-128 London Street to the south or no. 108 London Street to the north which is currently undergoing conversion to residential. However, the angled relationship of the proposed building with Nelson Mews to the south is of concern. The three-storey flank elevation of building would be located less than 10m from the facing elevation and windows of the flats at Nelson Mews which is a three/four storey building. Officers consider that the introduction of a three-storey block in this position, given the separation distances, would result in a visually dominant and overbearing form of development to the occupiers of Nelson Mews and harm to their amenity contrary to Policies CC8 and CR6. The proposed development is not considered to have overcome this reason for refusal from application ref. 161935.

Overall, in the above respects, the development is considered to result in a significant detrimental impact to the living environment of existing residential properties in Nelson Mews through visual dominance and overbearing effects of the development. The proposal is considered to be contrary to Policies CC8 and CR6 of the Reading Borough Local Plan 2019.

S.106 contributions and CIL

Policy H3 requires that as a 6-unit development a contribution to enable the equivalent of 20% of the units to be provided as affordable housing elsewhere within the borough is required which equates to 10% of the GDV of the scheme. The applicant has agreed to this policy compliant level of contribution to be secured by way of a section 106 legal agreement. However, given the number of other outstanding officer concerns with the proposed development, a section 106 legal agreement to secure the required level of contribution has not been progressed and would therefore represent a further reason for refusal of the application in line with Policy H3.

All new residential development is liable for CIL. It is possible that the applicant may be able to apply to off-set the existing floor space against that proposed when the levy is calculated, subject to being able to demonstrate that the existing floor space has been in its lawful use for a minimum continuous period of three months within the last three years.

Other matters

Sustainable drainage

Whilst generally only required for major developments (more than 10 dwellings) a sustainable drainage strategy report has been submitted. The site is presently hard surfaced and otherwise covered by a predominantly flat-roofed building. There is currently no permeability directly into the ground and therefore no water flow retention. This will be improved in the development by ensuring that the open areas are permeable, bringing about an improvement in run-off rates. This is acceptable and accords with Policy EN18 (Flooding and Drainage).

Ecology

The Council's Ecologist has reviewed the submitted bat survey and is content that there is no risk to bats and accordingly, there is no conflict with Policy EN12 (Biodiversity and the Green Network).

Sustainability

Policy H5 (Standards for New Housing) requires that all new, non-major (less than 10 dwellings) housing developments are built to the higher water efficiency standards under section 36(3) of Building Regulations and also that they achieve a minimum 19% improvement in the dwellings emission rates over the target emission rate as defined in Building Regulations. If planning permission were to be granted for the development, then suitable conditions would be applied to secure these requirements.

Equalities Act

In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. It is considered that there is no indication or evidence that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular application.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION for the following reasons:

1. The proposal, in terms of its layout, height, bulk and massing would result in cramped and visually dominant overdevelopment of the site, out of character with the existing pattern of development. This together with the proposed detailed design would have a significant detrimental impact on the rear setting of principal Listed Buildings on London Street, failing to preserve or enhance views in this part of the Market Place/London Street Conservation Area, contrary to Policies EN1, EN3, EN6, CC7 and RC2 of the Reading Borough Local Plan 2019.
2. The proposals would fail to provide a suitable standard of residential accommodation in terms of quality and security of approach, natural surveillance, amenity space and bin storage for the development as a whole and in terms of outlook, daylighting and overshadowing to flat no.1, contrary to Policies CC7, CC8, H10, EN16 and CR2 of the Reading Borough Local Plan 2019.
3. The development will result in a significant detrimental impact to the living environment of existing residential properties in Nelson Mews, through visual dominance and overbearing impacts, contrary to Policies CC8 of the Reading Borough Local Plan 2019.
4. The proposed units mix of 6 x 1-bedroom units would fail to contribute towards providing a mix of different size units, contrary to Policies H2 and CR6 of the Reading Borough Local Plan 2019.
5. The development has failed to contribute towards the provision of affordable housing in the Borough, contrary to Policy H3 of the Reading Borough Local Plan 2019.