

ATLAS

PLANNING GROUP

PLANNING, DESIGN & ACCESS STATEMENT

**The Faculty, 23-27 London Road, Reading
RG1 5BJ**

August 2020

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Appendix A: Appeal Decision - APP/E0345/W/17/3188270

SITE DESCRIPTION

- 1.1 The application site relates to the four-storey serviced apart-hotel, 'The Faculty', which fronts London Road, Reading. The building currently comprises 16 units, along with an entrance hall and laundry room. The site is bound by built development from all directions, with London Road located immediately to the south of the site.
- 1.2 The application site benefits from 8 car parking spaces which currently serve the apart-hotel. The parking area is located to the rear of the site and is accessed from an established road off East Street. Access to the site is also established to the rear.
- 1.3 The site is located within the Reading Central Area and the Market Place/London Street Conservation Area.

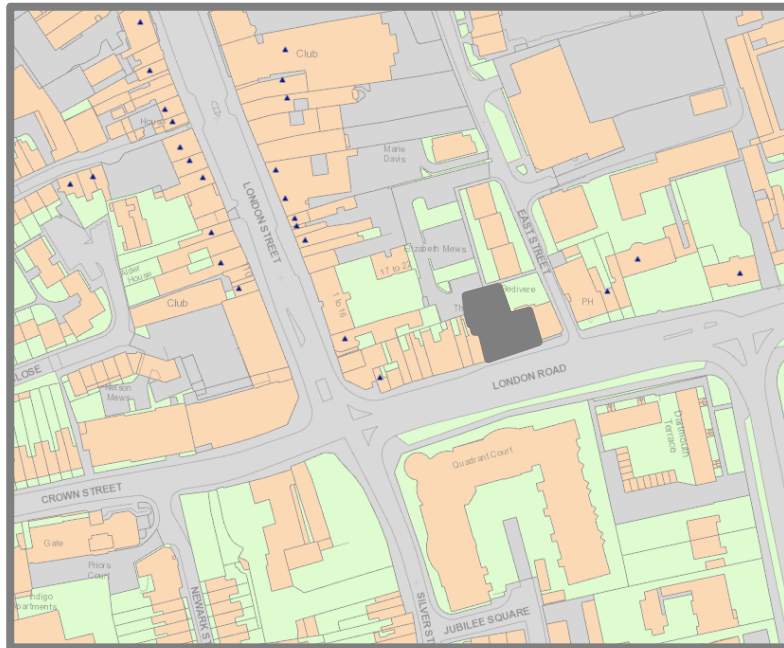


Figure 1- Site Location

THE PROPOSAL

- 2.1 This application seeks to change the use of the 16 serviced apartments (C1) at The Faculty to 15 residential flats (C3).
- 2.2 As existing, the building comprises of 16 serviced apartments which are located across 4 floors. The proposal seeks to change the use of all units to create C3 flats.

- 2.3 Internally, the only modification required is the blocking up of the front door to unit 1, removal of the kitchen from unit 1 and knocking through into unit 2 in order to combine them into a single unit (unit 1 has a GIA of only 22sqm and is therefore too small to be used as an individual C3 flat). No external changes are proposed.
- 2.4 The site already benefits from an access off East Street, which serves an established road to the application site. The proposed access and car parking will remain the same as existing.
- 2.5 It is pertinent to highlight that the original building was 15 purpose built residential apartments (Use Class C3), so this application is seeking to revert back to the original use following the recent decline in market for serviced accommodation. Indeed, the Council did try to resist the change to serviced apartments on the basis that it would result in a net loss of housing.



Figure 2- Existing Apart-hotel 'The Faculty'

PLANNING HISTORY

FULL PLANNING (99/00866/FUL)

- 2.6 The current building was constructed in 2001 under the above reference which approved the use for 15-flats (Use Class C3).

FULL PLANNING (080207)

- 2.7 An application was submitted to the council in August 2008, for the, *“retrospective change of use from flats (C3) to 15 serviced apartments (Use class C1) comprising 12 x 1-bedroom units and 3 x 2/3-bedroom units with associated parking”*.
- 2.8 This application was withdrawn in December 2008.

FULL PLANNING (091394)

- 2.9 A resubmission of the above application for the retrospective change of use of 15 C3 flats to 15 serviced apartments was submitted in July 2009.
- 2.10 The application was approved in October 2009.

FULL PLANNING (170576)

- 2.11 An application was submitted in April 2017 for, *“Internal alterations to including division of 3no. existing three-bedroom serviced apartments (Use Class C1) into 6no. one-bedroom service apartments. Reconfiguration of ground floor to create a new reception area and laundry room plus an additional studio apartment and addition of a lift”*.
- 2.12 The application was approved in August 2017 but not implemented.

FULL PLANNING (180264)

- 2.13 An application was submitted to the council in February 2018 for the *“reconfiguration of the ground floor reception area to create a new reception area and laundry room plus an additional studio C1 apartment. Replacement signage and boundary treatment to London Road”*.
- 2.14 The application was approved in July 2018 and has since been implemented.

PLANNING CONSIDERATIONS

- 3.1 Reading Borough Council adopted their new Local Plan on the 4th November 2019. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Local Plan (2019) is the Council’s primary Development Plan Document and is therefore the starting point for determining planning decisions.

3.2 The National Planning Policy Framework (NPPF) (2019) provides a national tier of policy and decision-making guidance for the planning system and forms a material consideration for planning decisions.

3.3 The policy and guidance contained within the statutory Development Plan Documents and all other relevant material considerations have been reviewed to ensure the proposal is an appropriate form of development for the application site.

PRINCIPLE OF DEVELOPMENT

3.4 The application seeks to change the use of 16 serviced apartments (Use Class C1), to 15 residential flats (Use Class C3).

3.5 The application site is located within the defined settlement boundary as highlighted on the Proposals Map. As such, the principle of development at the site is acceptable subject to compliance with other policies of the Development Plan.

3.6 Policy H1 of the Local Plan also states that provision will be made for at least an additional 15,847 homes in Reading Borough as there is a pressing need for additional housing in Reading and the surrounding area. Paragraph 59 of the NPPF (2019) also reiterated the Government's objective of significantly boosting the supply of homes.

3.7 Policy CC1: *'Presumption in Favour of Sustainable Development'* sets out that planning applications that accord with the policies on the development plan will be approved without delay, unless material considerations indicate otherwise.

LOSS OF EXISTING USE

3.8 Reading Local Plan includes no restrictive policies that prevent the loss of serviced apartments, the Plan does however reflect the pressing need to increase the supply of homes as mentioned above at para 3.6.

3.9 Although justification as to the loss of the current use is not required by local or national planning policy, in this case it is pertinent to highlight that there are a combination of factors that have contributed to the recent declining demand for the Faculty's serviced apartments. Firstly, due to the COVID-19 pandemic, which has accelerated the decline in business already evident due to the influx of C3 single units mainly being used as short term C1 accommodation, the effect of less business travel, the consequential downward pressure on rates, The Faculty business is now loss making and there is no sign things will improve.

3.10 Furthermore, there are many properties listed on websites such as Airbnb and Booking.com that advertise as providing short term accommodation (C1) despite only having a lawful C3 use. Given the significant increase in this market, many continue without sanction. However, this is to the detriment of lawful C1 properties that do not have the benefit of being able to 'switch' to C3 without planning permission.

3.11 Even before the COVID-19 pandemic, the serviced apartment market in Reading (whether the lawful use was C1 or not), was highly saturated. For example, a simple internet search for serviced apartments in Reading immediately reveals 123 options:

The screenshot shows the Booking.com search results for Reading. The search filters are set to Reading, 2 adults, 1 room, and 1 room. The results list three properties:

- The Faculty by Celador Apartments**: Exceptional 9.6 (87 reviews), Location 9.3. Description: The Faculty by Celador Apartments provides accommodation located in Reading, 4 km from Madejski Stadium and 1.8 km from Reading Central Library. Booked 2 times in the last 24 hours on our site.
- Boutique Apartments in Reading by Creatick**: Managed by a private host. Description: Boutique Apartments in Reading by Creatick has city views, free WiFi and free private parking, set in Reading, 5 km from Madejski Stadium.
- PREMIER SUITES Reading**: Superb 9.0 (216 reviews), Location 9.3. Description: Set in Reading, PREMIER SUITES Reading offers accommodation 3.7 km from Madejski Stadium. Complimentary WiFi is available.

Figure 3: Booking.com search results

3.12 Overall, the existing use is on longer financially viable and given the pressing demand for housing, the Applicant is seeking to revert to the original residential (C3) use of the building.

HOUSING MIX

3.13 Policy H2: 'Density and Mix' states that, *"Wherever possible, residential development should contribute towards meeting the needs for the mix of housing set out in figure 4.6, in particular for family homes of three or more bedrooms"*.

3.14 The proposed development is for 15 residential flats and the apartment mix is as follows:

- 5 x 2-bedroom units
- 10 x 1-bedroom units

3.15 This is similar to how The Faculty was originally built as C3 residential dwelling houses in 2000 (11 x 1 bed, 1 x 2 bed and 3 x 3 bed).

3.16 Whilst it is noted that the proposed development does not provide 3 -bedroom units, it is considered that the proposed mix is acceptable when taking account of the context of the existing building and its location within the Reading Central Area.

3.17 Housing Mix was considered on a similar site at appeal in 2018 which proposed for the change of use of the fourth and fifth floor of an apart-hotel to 10 residential apartments (APP/E0345/W/17/3188270) (Appendix A). The appeal site was distinctly similar to this application site, in that it was also located within the Reading Central Area and provided a mix of one- and two-bedroom units. The Council contested that the proposed change of use did not accord with Policy RC9 (the policy which prior to November 2019 considered Housing Mix, but has similar wording to the now adopted Policy H2). However, in allowing the appeal, the Inspector stated:

"...in my experience the location of the site within a town centre means that the accommodation is much more likely to appeal to individuals and couples. This observation is also reflected in paragraph 8.29 of the AAP, which acknowledges that town and city centres are unlikely to be popular with large numbers of families. To my mind, the wording of Policy RC9 of the APP sets out an aspiration for three-bedroom units to be provided, rather than a specific policy requirement."

3.18 The proposal would provide a valued contribution to the housing stock of units within the city centre, still provides a mix of units within the scheme, and owing to the above precedent example, it is considered that the proposal is acceptable and accords with Policy H2.

IMPACT ON THE CHARACTER OF THE AREA

4.1 The application site comprises the established serviced apart-hotel 'The Faculty', which encompasses 16 apartments across four floors. The building is located within a built-up area and is bounded by development from all directions.

4.2 The application site is located within the Market Place/London Street Conservation Area. Policy EN1 '*Protection and enhancement of the historic environment*' requires development to protect and, where possible, enhance the significance of heritage assets and their setting, the historic character and local distinctiveness of the area in which they are located.

4.3 Whilst the application site lies within such designation, it is considered that the proposal will have negligible impact on the Conservation Area or the character of the wider area as there are no external changes proposed.

4.4 Given the proposal simply seeks to change the use of the existing units, it is considered that the proposal preserves the character and appearance of the Conservation Area as the building will simply appear as existing. As such, the proposal accords with Policy EN1.

IMPACT UPON RESIDENTIAL AMENITY

4.13 Policy H8 'Residential conversions' sets out how proposals to convert properties into self-contained flats will only be acceptable where, inter alia, the proposal respects the physical character of the area, there are no unacceptable adverse impacts to residents of the scheme or surrounding properties etc.

4.14 The proposed development is not considered to have a detrimental impact upon the amenity of neighbouring properties. As the proposal relates to a change of use, where there are no external amendments proposed, the impact on the surrounding uses with regards to light, privacy and outlook would be negligible.

4.15 The only internal alteration involved combining apart hotel units 1 and 2 to form a single residential unit (unit 1 has a GIA of only 22sqm and is therefore too small to be used as an individual C3 flat).

4.16 With regard to the future occupiers of the flats, it is considered that the change of use allows for the provision of x 15 high quality units. Importantly, a recent application at the site was submitted to the Council in 2018 (LPA Ref: 180264) which reduced the number of rooms proposed from 19 to 16 apartments

in order to provide high quality accommodation. The recent reconfiguration was welcomed by the Council, and the Case Officer considered the units to be *“more spacious and of a better quality of accommodation”*.

4.17 The recent reconfiguration and refurbishment have ensured that all the units are of high-quality design and finish. Indeed, the existing layout already means that the units benefit from good outlook, with no opportunity for overlooking or loss of privacy. The flats enjoy spacious layouts, which all have an open plan kitchen and living area, bathrooms and space for storage. Moreover, all are easily accessed by stairs and a lift which serve all floors of the building. This ensures that the units are accessible for all. Owing to the above, it is considered that the existing layout already lends itself to residential use.

4.18 In this instance, although the proposal does not provide such external amenity space the site is in walking distance from other services such as leisure facilities, restaurants, shops and other public open spaces.

4.19 Although there is no amenity space, the site is well located to other services and public open spaces within Reading town centre. This was similarly the case within allowed appeal (APP/E0345/W/17/3188270) (Appendix A) where the Inspector stated the proximity to Reading town centre, *“significantly diminishes the need for amenity space within the development”*. Consequently, the Inspector considered that the appeal sites close proximity to other services justified the departure from local policy. Owing to the fact that the proposed scheme is noticeably similar to this allowed appeal scheme, it is considered that the lack of amenity space is acceptable.

4.20 As such, the proposal accords with Policy H8 and will provide a high level of amenity for future residents and maintain the current level of amenity for adjoining occupiers.

IMPACT UPON HIGHWAYS

4.21 Paragraph 109 of the NPPF sets out how development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.22 Policy TR3 ‘Access, Traffic and Highway Related Matters’ will not permit development that, inter alia, has a material detrimental impact on the functioning of the transport network or would be detrimental to the safety of users of the transport network, including pedestrians and cyclists.

- 4.23 Policy TR5 ‘*Car and Cycle Parking*’ states that development should provide car parking and cycle parking that is appropriate to the accessibility of locations within the Borough to sustainable transport facilities, particularly public transport. The Revised Parking Standards and Design SPD highlights that the application site is located in Zone 2. Zone 2 is defined as the Primary Core Area, which is “*well served by public transport, with buses continuing either into or out of the Central Core Area via this zone. Much of this area is within acceptable walking distance (400m) of either the main railway station or Reading West railway station. Walking and cycling in this area tends to be encouraged through the provision of wide and safe footways, with some dedicated or shared cycle ways*”.
- 4.24 The Parking Standards and Design SPD states that a 1 or 2 bedroom flat requires 1 car parking space in Zone 2. The proposal therefore requires 15 car parking spaces to be in accordance with the standard.
- 4.25 The site has 8 car parking spaces, which are accessed off East Street. This parking will be retained as is and it is the same level of parking that served the building as built in 2001. As such, the development is not considered to be of detriment to highway safety.
- 4.26 It is also pertinent to highlight that C3 apartments will likely have much less car traffic than the C1 serviced apartments and so there will be a local improvement in terms of amenity and impact on the highway.
- 4.27 Whilst the proposal does not meet the parking requirements of the SPD, the Case Officer of the previous application on the site noted that “*the Council’s Transport Officer has advised that there are no highways or traffic related objections to the proposals*”. The Officer highlighted that the site was located within close proximity to the town centre, which ensures that “*this area is well served by rail and bus links*”.
- 4.28 Indeed, the site is located 0.1 miles (3-minute walk) from the nearest bus stop ‘Crown Street’, and 0.6 miles (12-minute walk) from Reading Train Station, which has direct links to cities across the country. Given there have been no highways objections to the previous applications regarding highways and that the site is highly accessible, it is considered that the reduction in car parking provision is acceptable.

OTHER MATTERS

AFFORDABLE HOUSING

- 4.29 The proposed development involves the change of use of 15 serviced apartments to residential, this is the same number of units originally approved as residential units in 2000.

4.30 Paragraph 5.3.27 of the Local Plan states, *“Reading has seen a marked increase in proposals for serviced apartments, particularly in the centre. These uses fall halfway between hotels and housing, providing basic facilities for self-sufficient living but also the amenities of a hotel. They are attractive to people who will stay in the area for weeks or months at a time. However, these uses should not be seen as a way of introducing flats by the back door and therefore avoiding the need to contribute towards the provision of affordable housing...”*.

4.31 Given there is no net increase in residential dwellings since the building was originally used as C3, it is not considered appropriate for the Council to seek affordable housing contributions from this proposal. Furthermore, the apartments will be let on Assured Shorthold Tenancies (AST's) as the Applicant has no current intention to sell the apartments.

CONCLUSIONS

5.1 The application seeks planning permission for the change of use of 16 of the apart-hotel units (C1) to 15 C3 flats (reverting the building to its original use).

5.2 The proposal will not have a detrimental impact on the Conservation area and surrounding area. Indeed, the proposal only seeks to change the use of the units, no other works require planning permission.

5.3 The proposals contribute to the housing stock in the city centre. The proposal will have a negligible impact on the neighbouring properties, as there are no proposed changes to the external appearance of the building. Moreover, the proposed units have been designed to the highest quality to ensure that future occupiers of the units achieve an excellent standard of living.

5.4 Whilst the proposal does not meet comply with the Revised Parking Standards and Design SPD, the application site is located within a highly sustainable and accessible location within the city centre. Subsequently, the site is served by excellent public transport, and as such it is considered that the reduced number of spaces is acceptable.

5.5 As such, we commend the proposal to you.

A

Appeal Decision

Site visit made on 9 March 2018

by N A Holdsworth MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th June 2018

Appeal Ref: APP/E0345/W/17/3188270

City Wall House, 26 West Street, Reading, RG1 1TZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by TA Fisher Developments Ltd against the decision of Reading Borough Council.
 - The application Ref 170251, dated 14 February 2017, was refused by notice dated 20 July 2017.
 - The development proposed is change of use of fourth and fifth floors from C1 (hotel) to 10 no. C3 (residential) apartments with minor internal alterations.
-

Decision

1. The appeal is allowed and planning permission is granted for change of use of fourth and fifth floors from C1 (hotel) to 10 no. C3 (residential) apartments with minor internal alterations at City Wall House, 26 West Street, Reading, RG1 1TZ in accordance with the terms of the application, Ref 170251, dated 14 February 2017 and the plans submitted with it, subject to the attached schedule of 5 conditions.

Preliminary Matters

2. I have used the description of development found on the Council's decision notice as it identifies the parts of the building that are to be converted to residential accommodation and the number of units provided. This is also the description used by the appellant on the appeal form.
3. The Council's third reason for refusal relates to the absence of a legal agreement to ensure that, in the event that the remaining parts of the building are converted to residential accommodation, any policy requirement for affordable housing is applied to the cumulative extent of converted residential accommodation within the building. The appellant has provided a Unilateral Undertaking ("UU") with this appeal, and the Council have advised that this addresses its reason for refusal. I will return to this matter later in the decision.

Main Issues

4. The main issues are:
 - i) Whether or not the development provides a satisfactory quality of living accommodation for future residents, with particular regard to a) the size and layout of the proposed units, b) the layout of communal areas, and c) the provision made for people with limited mobility; and

- ii) whether or not a sufficient range of different housing types is provided within the development.

Reasons

Unit size

4. The upper floors of this building are currently in use as an 'apart-hotel' and the proposed change of use relates to the fourth and fifth floor of the building. The internal layout of the flats would largely remain as per the existing situation. 9 of the proposed residential units are studio flats or one bedroom units. The other unit has an extra bedroom, making it a 2 bedroom unit.
5. Each apartment has a kitchen area and the sleeping areas are well sized, providing space for storage. Whilst most of the units are single aspect they benefit from large windows, providing natural light and outlook. The bathroom facilities are clearly separated from the main living area, and provide a shower, wash basin and toilet, fulfilling the needs of residents in this regard. None of the rooms are either unduly small or have an unusable shape. Furthermore, the open plan living/kitchen areas provide sufficient space for furniture likely to be used in connection with a small residential flat.
6. 7 out of the 10 units measure between around 29 sqm and around 34 sqm, thus failing to meet the minimum standard for a one person, one bedroom flat set out in the government's *Nationally Described Space Standard*. However, there is no evidence before me that this standard has been adopted by the Council. In my view, every unit in the development would provide sufficient space for relaxation, study, sleeping, food preparation and eating, and none of the living space would be unduly narrow or convoluted. On the evidence before me each bedroom would exceed the recommended minimum size for a single bedroom (6.5 sqm) set out in the Councils adopted "*Residential Conversions Supplementary Planning Document*" (2013).
7. Policy DM10 of the Reading Local Development Framework Sites and Detailed Policies Document (Adopted October 2012) ("SDPD") requires that development is provided with functional private or communal open space. On this occasion, no internal or external amenity space is provided within the development. However, the close proximity of restaurants, shops, entertainment and leisure facilities, together with public open space within Reading town centre significantly diminishes the need for amenity space within the development. These considerations justify an exception to the requirements of policy DM10 of the SDPD.
8. Taking all of these factors in to account, I do not agree that the proposed units are inherently undersized or cramped given their location, and the lack of bespoke internal or external amenity space is not a serious flaw in the proposal.

Communal facilities

9. The apart-hotel and residential use would be physically separated from the retail unit at ground floor level, being accessed through a separate entrance from West Street, with a staircase and lift rising to the upper floors of the building. Such an arrangement is common in town centres, where residential uses are often located above shops. On the evidence before me, there are no special circumstances which make this arrangement unacceptable here.

10. The Council and the Thames Valley Police Crime Prevention and Design Advisor ("CPDA"), express concern about the security of the building, given its town centre location. However, I do not agree that the introduction of a permanent residential use in to the building would make it any less secure than it is at present. I agree that some method of preventing non-residents from accessing the residential parts of the building is desirable, to prevent disturbance in the corridors from where the flats would be accessed. The appellant suggests this would be through electronic key fob access points. Further details of these security arrangements, together with secure mail storage facilities for the residential flats, could be required by condition. Subject to these details being provided, the residential environment of the development would not be unduly compromised by either noise and disturbance or crime and anti-social behaviour.
11. In terms of waste storage facilities, there is an existing bin store which currently serves the apart-hotel and would be used for the residential element of the scheme. The Council's waste advisor suggests that the bin collections would need to increase to two times per week, due to the increase in waste arising from the development. On the evidence before me I do not therefore agree that the continued use of the bin stores would compromise the view in to the entrance lobby from the street. On the evidence before me, no further waste handling measures within the building would be necessary to make the proposal acceptable in planning terms.
12. With regard to cycle parking, I note that the Council's Transport Development Control Advisor does not object in principle to the level of cycle parking that would be provided in the proposed bike storage area, subject to conditions relating to its detailed design. The take up of cycle parking would ultimately depend on the behaviour of future occupants of the building. However, in the event that the spaces provided did not meet the demand, it does not inevitably follow that the common parts of the building would be subject to significant obstruction by cycles. Users may alternatively store the cycles within the units themselves, or outside the building.
13. In other regards I consider that the characteristics of long term housing and serviced apartments are similar to each other, in that they both provide living and sleeping accommodation. Subject to conditions discussed above, there are no valid planning reasons why they should not be located within the same building.
14. The layout of the common parts of the building would otherwise be typical of modern apartment buildings in town centres. None of the corridors are unduly narrow. Residents of the fifth floor would have to climb an additional staircase and negotiate two corridors to reach their apartments, but I do not agree that this would amount to an unacceptably convoluted layout. Nor does it inevitably follow that residents of the fifth floor would obstruct the fourth floor corridor with items such as pushchairs. Overall I consider that the common parts of the building would serve their purpose well, which is to provide access to the residential units within the building. An acceptable level of waste storage and cycle parking would be provided within the building.

Accessibility

15. 7 out of 10 flats can be reached by lift from the ground floor, including the single 2 bedroom flat. Whilst it is unclear on the evidence before me whether

this would amount to completely level access, it does mean that future users of the development could access the majority of the flats without encountering significant amounts of stairs. On balance, the development would therefore serve those with limited mobility reasonably well. Furthermore, the site is located in the town centre and in very close proximity to shops, services, and other facilities. In consequence, the development would be well located for people who do not have access to a car or who are unable to drive.

16. The development would therefore meet the requirements of policy CS3 of the Reading Borough Local Development Framework Core Strategy (Adopted 2008) ("Core Strategy") which requires major development to be located in close proximity to a range of accessible services and to demonstrate measures to enhance social inclusion. With regard to policy CS5 of the Core Strategy, this requires new buildings to provide suitable access to, into and within, its facilities, for all potential users including disabled people. I consider that, as the majority of the flats are accessible by lift, the development has given sufficient consideration to the needs of less mobile people and in consequence the requirements of this policy would be met.
17. Drawing the above points together, the proposed units would be big enough to provide a satisfactory quality of living accommodation for future residents of the building. The common parts would serve the needs of the development, and are compatible with the existing use and facilities within the building. Furthermore, satisfactory provision is made for people with limited mobility. Overall, the development would provide a satisfactory quality of living accommodation for future residents, and would not amount to an unacceptable intensification of development.
18. In consequence, there is no conflict with policy DM4 of the SDPD which, amongst other things, requires that new development does not cause a significant detrimental impact to the living environment of new residential properties in terms of crime and safety. Nor is there conflict with policy CS24 of the Core Strategy which seeks to provide suitable cycle parking in new development. For the reasons explained above, the development meets the requirements of policies CS3 and CS5 of the Core Strategy which, amongst other things, seek to promote social inclusion and inclusive access in new developments. Whilst the development does not meet the requirement set out in policy DM10 of the SDPD for functional open space to be included in new development, on this occasion the location of the development justifies an exception to this policy requirement. Overall the proposal complies with the relevant development plan policies, when considered as a whole, which seek to ensure a satisfactory living environment is provided where new development is proposed.

Unit mix

19. Policy RC9 of the Reading Borough Local Development Framework Reading Central Area Action Plan to 2026 (Adopted January 2009) ("AAP") requires that all proposals for residential accommodation within the central area will be required to contribute towards a mix of different sized units within the development. In this case, one 2 bedroom unit would be provided. The Council maintain that this unit is undersized and has a convoluted layout. However, I consider that it would provide sufficient living space for two people. In addition,

some of the other one bedroom units are of a sufficient size to be comfortably occupied by two people.

20. The Council maintain that family sized housing should be provided. This is reflected in the supporting text to policy CS15 of the Core Strategy, which states that developments should include provision for family accommodation. However, in my experience the location of the site within a town centre means that the accommodation is much more likely to appeal to individuals and couples. This observation is also reflected in paragraph 8.29 of the AAP, which acknowledges that town and city centres are unlikely to be popular with large numbers of families. To my mind, the wording of policy RC9 of the APP sets out an aspiration for three bedroom units to be provided, rather than a specific policy requirement. There is no significant evidence before me demonstrating a serious unmet demand for family sized housing within the town centre.
21. Taking these considerations in to account, I consider that the mix of unit types proposed is on this occasion acceptable. The development achieves the requirements of both policy RC9 of the AAP and policy CS15 of the Core Strategy, which both seek to, amongst other things, ensure that developments provide an appropriate mix of units, informed by the characteristics of the area in which it is located.

Other Matters

22. The Council advise that conversion developments of 10 units or less are not subject to requirements for affordable housing contributions in respect of policy DM6 of the SDPD. However, it is concerned that subsequent applications could be submitted relating to the conversion of the residual apart hotel accommodation that would cumulatively lead to a breach of the 10 unit threshold. The lack of any mechanism to prevent this is reflected in the Council's third reason for refusal.
23. A signed UU was provided by the appellant on 8th February 2018, which would have the effect of applying any future affordable housing policy requirement to the total cumulative amount of space within the building being converted to residential accommodation. The Council in its appeal statement acknowledges that it has an ownership interest in the site, has considered this document and advise that it addresses its third reason for refusal.
24. On the evidence before me, the need for the contribution sought by the Council is rooted in existing development plan policies. It therefore satisfies the 3 tests in Regulation 122(2) of the CIL Regulations 2010 and the tests for planning obligations set out in the National Planning Policy Framework ("the Framework"). It can therefore be taken in to account as a reason to grant planning permission. The proposed development therefore complies with policies CS9 and CS16 of the Core Strategy, RC9 of the AAP, DM3 and DM6 of the SDPD, and the Affordable Housing: Supplementary Planning Document (July 2013) which, amongst other things, requires provision to be made for affordable housing where certain types of new residential development is proposed.
25. I have considered the concerns expressed by the CPDA regarding the risk of crime and anti-social behaviour arising from the development in my reasoning above. I consider that this matter can be dealt with through further detail being provided on security measures within the building in response to a planning

condition and neither the Council nor the appellant has raised any objection to my suggested condition. Subject to these conditions, I consider that the proposed development would create a safe and accessible environment where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion. It therefore complies with the relevant parts of the Framework on these matters.

Conditions

26. Conditions are necessary in the interests of compliance with statutory requirements relating to commencement [1] and certainty [2]. Given the proximity of the development to other residential accommodation, the Council advise that a condition is necessary to prevent the flat roofed areas of the development being used as a roof terrace in order prevent the overlooking of surrounding residential properties. The appellant has not objected to the imposition of this condition and I agree it is necessary to make the development acceptable in planning terms [3]. For the reasons discussed in the main part of my decision, conditions are also necessary to ensure that appropriate arrangements are made to separate the residential accommodation from the serviced apartment use, for mail storage and to ensure the detailed design of cycle parking is acceptable [4 and 5]. This is to ensure that satisfactory living conditions are provided for future occupants, with particular regard to crime and security.
27. The Council suggest conditions that would limit the ability of future residents to apply for parking permits. However, whilst it asserts that there is a high existing level of on street car parking in the surrounding area, no detailed evidence of this is provided. It has not therefore been demonstrated that any additional parking demand arising from this development would compromise highway safety, or otherwise lead to material harm to the living conditions of the occupants of neighbouring residential properties. In consequence, I do not agree that these conditions would be reasonable or necessary to make the development acceptable in planning terms. They would not therefore meet the requirements of paragraph 206 of the Framework.

Conclusion

28. For the reasons given above and having had regard to all other matters raised I conclude that the appeal should succeed.

Neil Holdsworth

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans, which identify the parts of the building that are to be converted to permanent residential use: 12424-110 Rev A Location Plan, 12424-111 Rev C, 12424-112 Rev C, 12424-113 Rev C, 12424-114 Rev C, 12424-115 Rev C, AcousticAir Limited Noise and Air Quality Assessment AA1112NAQ/R1.
- 3) None of the flat-roofed areas of the building shall be accessible to residents of the residential units hereby approved, or used for any other amenity purpose.
- 4) No part of the residential use hereby approved shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - i) Details of the security arrangements used to control access to and from the residential units hereby approved.
 - ii) Measures to prevent access to the residential part of the development from users of the apart-hotel.
 - iii) Details of the arrangements for the delivery and security of mail, received by future users of the residential units hereby approved.

The residential use must not be occupied until the measures approved under the terms of this condition have been installed, and once installed shall be retained for the lifetime of the development.

- 5) No part of the residential use hereby approved shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - i) Details of secure cycle parking, demonstrating that cycles can be safely secured within the designated area for cycle parking without leading to an obstruction of the corridors within the building.

The residential use must not be occupied until the measures approved under the terms of this condition have been installed, and once installed the cycle parking area shall be marked as such and retained for the purposes of cycle parking only, for the lifetime of the development.

END OF SCHEDULE