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Our Ref: 160448/PREAPP

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11th May 2016

Your contact is:
Without prejudice

Ethne Humphreys Planning & Building Control

Dear Mr Lall

**Re: 160448/PREAPP - Pre-application advice for proposed demolition of coach house and erection of 1no. 3-bedroom detached dwelling
At Land to rear of 133 Caversham Road**

This is a pre-application response further to the above enquiry received on 10th March 2016. Further to our correspondence, my apologies for the delay in providing this response.

Site description

The site relates to a two storey brick outbuilding to the rear of 133 Caversham Road, adjacent Swansea Road. The outbuilding was granted a CLE in 1991 for use as a store/workshop.

No. 133, on the corner of Swansea Road, serves a general grocery store with residential unit above. There is a concreted yard extending across the rear of No's 127-133 Caversham Road which is connected to Swansea Road via gates and a vehicular crossover, serving as an unloading bay to the shop.

To the south-east of the site towards the town centre are three storey residential houses, whilst on the opposite side of Caversham Road and Swansea Road is a variety of commercial shops and restaurants.

The site is located within Flood Zone 2, an Air Quality Management Area and within the designated Reading Central Area

The proposal

The enquiry relates to the erection of a 1x 3 bedroom dwelling, following demolition of existing outbuilding.

A location/block plan, site plan, existing and proposed elevations and existing and proposed floor plans have been submitted as part of the enquiry.

Relevant Planning History

99/00419/CLE Certificate of Lawfulness for existing use for store/workshop to the rear of the site. Permitted 02.12.1999

07-01682-FUL Change of use of four houses from residential and retail/storage/guest house to 29-bedroom hotel, including external alterations and extensions to rear. Refused

01-00653-FUL Change of use of 4 no. terrace properties from residential and retail/storage/guesthouse to 29 bedroom hotel plus external alterations and extensions to rear. Permitted, not implemented.

Appraisal

The main issues to be considered are:

- a) Principle/Flood Risk
- b) Design and Impact on the Character of the Area
- c) Impact on Neighbours
- e) Quality of Residential Accommodation/Sustainability
- f) Amenity Space
- g) Environmental Protection
- g) Transport Issues
- h) Ecology
- h) Affordable Housing

a) Principle/Flood Risk

Located within Flood Zone 2 the principle of the proposed redevelopment of the site for residential purposes would be subject to the sequential test process in accordance with the National Planning Practice Guidance (NPPG). I would advise that within the Borough of Reading it is considered that there are presently sufficient sites for housing within Flood Zone 1 to meet, and exceed, the Council's housing allocations, as demonstrated by the Reading Borough Annual Monitoring Report December 2015. For your information the NPPF states that applications for change of use only are not required to undergo the sequential test process; you may wish to consider exploring a proposal which seeks only to change the use of the existing building on the site, as in line with paragraph 104 of the NPPF, a sequential or exception test would not be required. In this scenario the NPPF also states that these

applications would nevertheless still need to meet the requirements for site-specific flood risk assessments.

The flood zone 2 constraint is considered to potentially have a significant consequence on the proposals. In the first instance a site wide sequential approach should be taken, with a subsequent Flood Risk Assessment being a mandatory requirement. Please see policy CS35 in the first instance.

b) Design and Impact on the Character of the Area

Policy CS7 (Design and the Public Realm of the Core Strategy) seeks to ensure that new development maintains and enhances the character and appearance of the area in which it is situated. The street scene of Swansea Road comprises a red brick Victorian terrace whose frontage displays a regular rhythm and pattern. Any new development in the street would be expected to respond positively to this context, re-inforcing this local character.

The existing building to be replaced makes no positive contribution to the area, however nor does it appear visually prominent within the street-scene. There is therefore no objection to its demolition.

The dwelling would be sited in line with the front elevation of No.68 Swansea Road to the south west and set back from the flank elevation of No.133 Caversham Road, to the north east. However, whilst it is recognised that the dwelling has been oriented as such so as to avoid causing a loss of privacy to No.68 Swansea Road, the hipped roof would be out of keeping with the character of the properties along this part of Swansea Road and the dwelling would fail to integrate with the character of the surrounding area, contrary to policy CS7 of the Core strategy. Whilst there are subtle variations in the character of surrounding properties it is considered that the proposal would appear as somewhat of an anomaly in the road.

Notwithstanding the above, no windows are proposed on the north east facing flank elevation and it is recognised that this is appropriate in terms of neighbouring amenity. However, a window at ground floor level may add some visual interest to this otherwise somewhat blank elevation - especially in views from the north east along Swansea Road.

c) Impact on neighbours

No windows are proposed on the flank elevations and as such there would be no material loss of privacy. The first floor windows on the rear elevation would face down the applicant's garden and any views of 127-129 would be at an oblique angle, not considered to result in any significant material loss of amenity. Indeed, the views would be of the car parking to the rear of the site. There is considered sufficient distance to the amenity space of No's 121-125 Caversham Road to not result in any significant material loss of privacy.

In relation to No.68 Swansea Road, there is a window on the flank elevation. It is not known what this window serves; however, it appears to be obscure glazed, possibly not serving a habitable room. The roof would be hipped away from the boundary to minimise the impact and given the angle and position to the north east of the site it is unlikely to result in any significant material loss of light or overbearing impact. The dwelling would not project past the rear elevation of No.68 and as such would not result in any material loss of light or overbearing impact.

In relation to No.133 Caversham Road, this property already faces the existing outbuilding. The proposed dwelling would be no closer; however, it would be significantly higher. It is considered that the two storey flank elevation of the dwelling, at a distance of approximately 7m to the rear of No's 131 and 133 Caversham Road would result in an unacceptable overbearing impact.

d) **Quality of Residential Accommodation/Sustainability**

In terms of the quality of residential accommodation it is my opinion that the room sizes proposed appear suitable and all rooms would be served by suitable daylighting and ventilation.

Following the withdrawal of the Code for Sustainable Homes, the minimum requirement of Code Level 3 has been superseded by building regulations.

Additionally, the proposal would need to demonstrate how it had been designed to incorporate measures to adapt to climate change in accordance with policy DM1: Adaptation to Climate Change of the Sites and Detailed Policies Document.

e) **Amenity Space**

Policy DM10 seeks that the design of outdoor areas reflects the size and character of other similar spaces in the vicinity and recommends that houses should have a useable amenity space of no less than the gross floor area of the dwelling to which it relates. Whilst the proposed garden space would be less than this recommended size, there is evidence of other properties with similar amenity space in the surrounding area -Swansea Road -and it is not considered that the private outdoor space proposed would be significantly out of keeping with the character of the surrounding area, especially given the site's location and accessibility to local amenity facilities.

f) **Environmental Protection**

As the proposed dwelling would be set back from the main road and would be sheltered from the properties fronting onto Caversham Road, the Environmental Protection Officer does not

consider that a noise or air quality assessment would be necessary. They have, however, made the following comments:

Construction and demolition phases

We have concerns about potential noise, dust and bonfires associated with the construction (and demolition) of the proposed development and possible adverse impact on nearby residents (and businesses).

Fires during construction and demolition can impact on air quality and cause harm to residential amenity. Burning of waste on site could be considered to be harmful to the aims of environmental sustainability.

A scheme should be submitted which specifies the provisions to be made for the control of noise and dust emanating from the site during the demolition and construction phase. The hours of noisy construction, demolition and associated deliveries should 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. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works should be burnt on site.

g) Transport Issues

The site is located within the Zone 2, the primary core area but on the periphery of the central core area which lies at the heart of Reading Borough, consisting primarily of retail and commercial office developments with good transport hubs. In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide a parking provision of 2 parking spaces for a 3 Bedroom C3 dwelling.

The pre application documents submitted for this development state that the area of development as Caversham Road. The proposed build as detailed in the plans appear to be sited on Swansea Road which is part of Reading Borough Council's controlled residential permit areas.

Plans submitted do not indicate the provision of any off street parking. In line with the Councils adopted parking standards and design a new 3 bedroom dwelling categorized as C3 in a zone 2 should have provision for 2no parking spaces.

The proposed build is in Residents Permit Zone 03R. There are extensive parking controls preventing on-street parking. Parking conditions and informatives would be applied to prevent any future occupants of the new dwelling from obtaining a residents parking permit for the surrounding residential streets 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 car parking in the area.

In accordance with the adopted Parking SPD, the development is required to provide a minimum of 2 cycle parking spaces for a 3 bedroom C3 dwelling which should be in a conveniently located, lockable, covered store. Plans submitted state there will be provision for one cycle only.

A bin storage area is indicated in the submitted plans. This 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.

h) Ecology

Bats

All bats are protected under the 1981 Wildlife and Countryside Act as amended and the European Habitats and Species Directive (92/43/C) Conservation of Habitats and Species Regulations 2010. Bats and their shelters (roosts) are protected under this legislation.

It is illegal to deliberately or recklessly disturb or obstruct access to any bat roost or to disturb a bat using such a place without first obtaining the relevant licence from Natural England.

When dealing with cases where a European protected species may be affected, a planning authority is a competent authority within the meaning of the Habitats Regulations, and therefore has a statutory duty under regulation to have regard to the requirements of the Habitats Directive in the exercise of its functions.

Paragraph 99 of the government guidance on Biodiversity in the planning system¹ (which was not revoked by the NPPF) states that:

'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.'

In addition to statutory obligations Reading Borough Council has planning policies to protect biodiversity, namely; Core Strategy Policy CS36.

The building has the potential to support roosting bats and the proposals which involve its demolition could impact upon a bat roost if it were present. A survey undertaken by an appropriately qualified surveyor (i.e. a member of the Institute of Ecology and Environmental Management and or a Licensed Bat Worker) would be required in order to assess this.

A bat survey is normally undertaken in two stages, firstly an initial building inspection (or a preliminary roost assessment) whereby the inside and outside of the building is thoroughly searched for bats and signs of bats, this survey can be undertaken at any time of year. If the applicant's surveyors were to find no signs of bats and few features such as cracks and crevices in which bats could roost then further surveys would not be required, however if bats were found or the building had a moderate or high potential to support roosting bats, further emergence and or dawn surveys, undertaken during the bat active season (i.e. between May and the end of August/ sub optimally till mid-October) would be required in order to confirm the presence or absence of bats.

¹

i) Affordable Housing

You may be aware that the Court of Appeal handed down a judgment on affordable housing on small sites on 11 May 2016. The Court of Appeal allowed the Secretary of State's appeal (against the High Court judgment of Holgate J in July 2015, which essentially quashed the Written Ministerial Statement of 28 November 2014 - which introduced there being no requirement for affordable housing on schemes of fewer than 10 units). Reading Borough Council, together with West Berkshire Council (who originally sought the judicial review into the written ministerial statement) are naturally disappointed with the 11 May judgment. The Council is currently considering our options with regard to appeal and until such time as we have determined how we intend to proceed, it is unclear as to whether proposals such as yours will require a contribution towards affordable housing. As such, if you were to progress your scheme, you are advised to contact me in due course for an update on the latest position on affordable housing requirements. The advice below is provided on the basis of affordable housing still being required to be provided by you.

The proposals will need to contribute towards affordable housing in line with policy DM6. Applications for residential development of 1-4 dwellings shall provide a financial contribution, equivalent of 10% of the housing. Given this context, you are advised to submit an affordable housing statement and, if applicable (i.e. if you are not seeking to provide a policy compliant affordable housing financial contribution - which in practice would be 5% of the gross development value - GDV - of the scheme), a viability appraisal and report as per sections 1 and 27 of the validation information requirements (see link below).

As of July 2015 the Council's valuer will be charging a separate fee for the assessment of viability matters (at either pre-app or application stage), as detailed below.

Type	Initial fixed fee*
1-4 units	£1,000 (excluding VAT**)
5-9 units	£2,000 (excluding VAT**)

*If deferred to external consultants then their cost will be advised at the time of outsourcing.

**All pre-application viability charges are subject to VAT. Those considered at application stage are not subject to VAT.

More specifically in terms of any financial contribution sought, this would need to be the equivalent of 10% of the gross development value of the new homes in order to reflect the true value of (the financial contribution would actually equate to 5% of the GDV, as per the Affordable housing SPD). A contribution would be used to grant fund and bring forward affordable homes for nomination by Reading Borough Council. In order to ascertain what 5% of the GDV is, you would be required to obtain three valuations from local estate agents, estimated what the sales values of each individual unit would be. This information would

then be verified by the Council's valuer (to ensure they reflect the current market values) and, if accepted, an average of the agreed sales values would then be secured. More details on this can be found via the Affordable Housing SPD. The financial contribution towards affordable housing would be secured in full via Section 106 Legal Agreement.

Community Infrastructure Levy

From April 1st 2015 development will be subject to the Council's Community Infrastructure Levy (CIL), and this will include charges for residential development.

Further information on CIL is available to view on the Council's website at: <http://www.reading.gov.uk/businesses/Planning/planning-policy/community-infrastructure-levy/>

Should the proposal be CIL liable, the amount to be charged is non-negotiable. You will be required to submit a completed CIL form at the time of any application. In practice, you are advised that in proposals such as this, CIL effectively replaces previous S106 requirements for leisure & education (no longer sought). Affordable Housing falls outside of CIL and is a separate matter still secured via s106.

Conclusion

For the reasons above set out above, principally the concerns relating to flood risk, the design and impact of the proposed dwelling upon the character of the street scene and surrounding properties, and impact on neighbouring amenity, it is my opinion that officers would be unable to support an application for the proposed development in its current form.

Whilst not encouraged, if you were to submit an application of the nature shown at present, please note the validation requirements set out in the Validation Checklist (updated July 2015). Please refer to the [Council's website](#) for details.

This advice is given on a without-prejudice basis and not all policies have been considered. This advice is in good faith and will not over-ride the formal consideration of a planning application by the Council. If you wish to discuss the contents of this letter, please contact me on the number given above.

Yours sincerely,

Ethne Humphreys

Planning Officer
North / Central Team
LEB