

## COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO. 9

PLANNING APPLICATIONS COMMITTEE: 7<sup>th</sup> November 2018

**Ward:** Abbey

**Application No.:** 180624/FUL

**Address:** 57 Baker Street, Reading, RG1 7XX

**Proposal:** Erection of two 2/3 storey buildings to provide 9 (2x2-bed and 7x3-bed) residential units (Class C3), 9 parking spaces, landscaping and associated works

**Applicant:** W & C Litten

**Date Valid:** 08/08/18

**Application target decision date:** Originally 03/10/18, but a formal extension of time for the determination of the application has been agreed until 21/11/18

**26 week date:** 06/02/2019

### RECOMMENDATION

Delegate to the Head of Planning, Development and Regulatory Services to (i) GRANT full planning permission subject to completion of a S106 legal agreement or (ii) to REFUSE permission should the legal agreement not be completed by 21<sup>st</sup> November 2018 (unless officers on behalf of the Head of Planning, Development and Regulatory Services agrees to a later date for completion of the legal agreement). The legal agreement to secure the following:

- Affordable housing:
  - Secure 2 residential units (plots 8 & 9) as affordable housing units (either affordable rent or shared ownership)
  - In the event that a Registered Provider or Housing Association is not secured for the provision of the Affordable Housing, the Units to be offered to the Council to be provided by the Council as Affordable Housing.
  - In the event that an Affordable Housing provider is not secured, the developer to pay to the Council a default affordable housing financial contribution (based on the Gross Development Value of the development) for provision of Affordable Housing elsewhere in the Borough. To be calculated (the mean average) of two independent RICS valuations to be submitted and agreed by the Council prior to first occupation of any Market Housing Unit. To be paid prior to first occupation of any Market Housing Unit and index-linked from the date of valuation.

And the following conditions to include:

1. Time Limit – 3 years
2. Approved plans
3. Pre-commencement details (samples and manufacturer details) of all external materials (including brickwork, roof slate, glazing, window frames/cills/surrounds, doors, guttering and downpipes)
4. Pre-commencement construction method statement (including noise & dust)
5. Cycle parking details submitted/approved prior to first occupation;
6. Pre-occupation implementation of vehicle parking / turning details provided
7. Pre-occupation implementation of shared surface access details provided
8. Pre-occupation implementation of bin storage details provided
9. Pre-occupation notification of postal addresses (restricting parking permits)

10. No automatic entitlement to parking permits
11. Pre-commencement contaminated land - site characterisation
12. Pre-commencement contaminated land - submission of remediation scheme
13. Pre-construction contaminated land - implementation of approved remediation
14. Contaminated land - reporting of unexpected contamination
15. Construction hours
16. No burning of waste on site
17. Pre-commencement arboricultural method statement and tree protection plan
18. Pre-commencement hard and soft landscaping details
19. Implementation of the approved landscaping no later than during the first planting season following the date when the development is ready for occupation
20. Landscaping maintenance / replacement for a period of 5 years
21. Pre-occupation boundary treatment details (boundary wall to the northern boundary to be maintained at its existing height, or higher, adjoining No's 43 - 51 (odd) Baker St)
22. Pre-occupation biodiversity enhancement measures
23. Pre-occupation external lighting strategy details
24. Pre-commencement Japanese knotweed survey and eradication strategy
25. No residential extensions or structures (Class A extensions et al & Class E outbuildings)
26. No additional rooflights/windows/doors

**Informatives:**

1. Positive and Proactive Statement
2. Pre-commencement conditions
3. Terms and conditions
4. Building Control
5. Encroachment
6. Noise between residential properties - sound insulation
7. Community Infrastructure Levy
8. Works to the northern boundary wall will also require separate listed building consent
9. Highways
10. Parking permits
11. Section 106 Legal Agreement
12. Japanese knotweed
13. Advice about TPO'd trees and trees in Conservation Areas
14. Advice to adhere to approved Arboricultural Method Statements
15. On-going information conditions in relation to landscaping

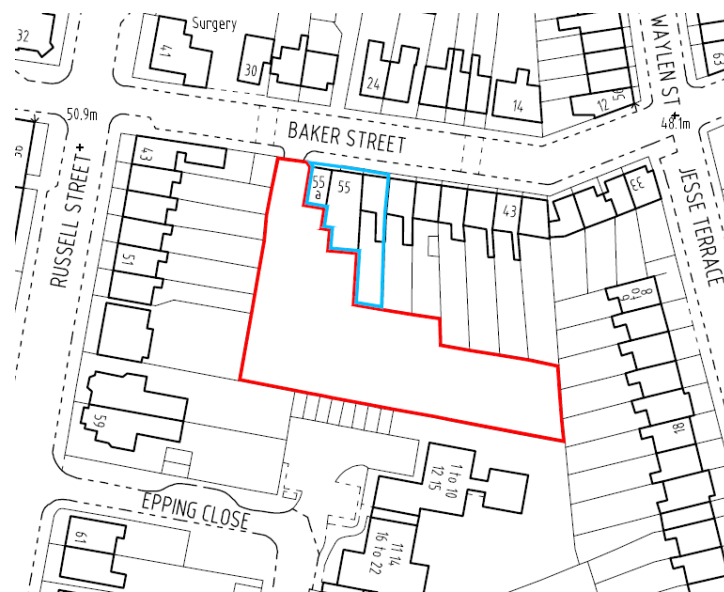
## **1. INTRODUCTION**

- 1.1 The application site comprises a vacant backland 'L' shaped site accessed off Baker Street. The site was formerly in light industrial use with the buildings, workshops and garages demolished to ground level in the past decade following the granting of listed building consent in 2009 (see relevant history below). At the time of the officer site visit for this application the site was relatively flat but overgrown in places with vegetation. The site is however secured by virtue of existing gates off Baker Street and the various site boundary walls/fences around the perimeter of the site. These bound the site with predominantly residential properties which front onto Baker Street (to the north), Jesse Terrace (to the east), Epping Close (to the south) and Russell Street (to the west).

- 1.2 The application site no longer contains any listed buildings, but is located within Russell Street / Castle Hill Conservation Area. Within the Conservation Area Appraisal (April 2004) in the 'new development' section the following is of relevance:

*Backland development should only be allowed where there are existing buildings are of no merit, and where the replacement buildings are of a suitable scale and bulk to [not] adversely affect the surrounding buildings. The historic form of development, with mainly terraced houses sitting close to the road, with hidden gardens behind, should be maintained and enhanced as opportunities present themselves.*

- 1.3 The adjacent listed No. 55 Baker Street building is a 3-storey stucco building from circa 1840, now split into flats. A tablet on the wall says that this house was "Fox Talbot's Reading Establishment 1844-45". A pioneer photographer and associate of Fox Talbot's, Nicholas Henneman, also lived there. There are also some further nearby Grade II listed buildings, such as No's 33-39 (odd) Baker Street to the north-east and No. 41 Russell Street to the north-west. Beyond the more traditional housing located on Baker Street, Jesse Terrace and Russell Street, to the south are the more contemporary flatted developments within Epping Close.
- 1.4 The application site is also located within an air quality management area and part of the site (where works were previously located) is identified as potentially containing contaminated land. The site has been known to contain Japanese Knotweed and the application of any control/eradication strategy is not known at this time. There are a number of significant trees within and close to the site, such as Sycamores close to the north and east boundaries and a horse chestnut beyond the southern boundary. The application site is located outside of the designated Reading Central Area Action Plan area, with the nearest boundaries being Oxford Road to the north and the Inner Distribution Road to the east.
- 1.5 This application is being reported to committee at the request of Councillor Page, in view of a number of concerned representations received from residents of Baker Street. The location of the site in relation to the wider urban area is shown below, together with a site photograph and aerial view.



Site Location Plan (not to scale) (red line is the application site; blue line indicates nearby land also owned by the applicants)



Site photograph from within the application site looking north-west towards the rear of the existing buildings fronting onto Baker Street and Russell Street (29/08/18)



Aerial view looking north

## 2. PROPOSALS

- 2.1 Full planning permission is sought for the erection of two 2/3 storey buildings to provide 9 (2x2-bed and 7x3-bed) residential units (Class C3), 9 parking spaces, landscaping and associated works.
- 2.2 More specifically, two terraced blocks are proposed. The first is on an east-west alignment closest to the entrance to the site and proposes 2 x 2-bedroom houses

(plots 1 & 2) over two floors (with the uppermost floor being within the roof, comprising a dormer and rooflight serving each unit on the south roofslope and a rooflight on the north roofslope). Further to the east the terrace continues with 4 x 3-bedroom houses (plots 3-6) over three floors (again with the uppermost floor being within the roofscape, comprising a dormer and rooflight serving each unit on the south roofslope and a rooflight on the north roofslope).

- 2.3 A second separate block of 3 x 3-bedroom houses is proposed on a north-south alignment at the eastern end of the site, separated from the first block by a landscaped courtyard garden. Again, these units include a third floor of accommodation within the roof, providing a bedroom served by rooflights on the eastern and western roof slopes. All nine residential units include individual rear amenity spaces, with plots 1-6 also including defensible space to the front.
- 2.4 Nine on-site car parking spaces are proposed to the rear/side of No's 55/55a (6 spaces in this area for future occupiers & 1 separate space for existing No. 55a) and 49-53 Baker Street (3 spaces at this point). Refuse and cycle storage areas are also proposed, together with further hard and soft landscaping, a shared access surface (including two turning points) and retention of the existing gate on the Baker Street frontage. Within the submission, the applicant confirms that the boundary treatments will be retained, dismantled and capped at 2m in height, barring the eastern boundary to the rear of plots 7-9, where a 1.8m high close boarded timber fence is proposed. However, no plans to detail this element of the proposals has been provided within the submission.
- 2.5 The applicant advises that this application is identical to that proposed/approved by permission 141116 at the site on 30/03/15. The three year time period to implement that permission has expired without works commencing; hence this fresh application separately seeking full planning permission at this time.
- 2.6 The applicant duly completed a Community Infrastructure Levy (CIL) liability form as part of the submission of this application. Based on the information submitted the CIL requirement will total £128,573.03 (872.9sqm x the 2018 indexed CIL rate of £147.2941176470588 per sqm). If the affordable units subsequently receive CIL relief, then the CIL total would reduce by £26,836.98 (182.2sqm x 147.2941176470588) to £101,736.05. An informative will be included on any future decision notice, and a CIL liability notice would be sent to the applicant shortly after any planning permission decision notice is issued.

### **3. RELEVANT PLANNING HISTORY**

There is an extensive planning history for the site. The applications relevant to this application are considered to be:

- 3.1 08/01148/OUT (081374) - Outline application for the demolition of workshops and erection of 14 flats and maisonettes (access and scale only). Refused 04/12/2008.
- 3.2 09/01560/LBC (091115) - Demolition of number 57 Baker Street and workshops/garages to the rear of numbers 41-55 Baker Street, including alterations to boundary walls. Granted Listed Building Consent 17/12/2009. Implemented.
- 3.3 10/00531/APPCON (100734) - Discharge of conditions for listed building consent 09/01560/LBC. Conditions discharged 25/08/2010.

- 3.4 141116 - Residential development of 7no 3-bed and 2no 2-bed dwellings with associated external works. Granted following completion of s106 legal agreement 30/03/2015. Not implemented.

Relevant history at 55a Baker St:

- 3.5 141120/FUL - Change of use with alterations to convert the existing office into a 1-bed dwelling. Granted following completion of s106 legal agreement 12/01/16.
- 3.6 141121/LBC - Works associated with conversion of the existing office into a 1-bed dwelling. Granted 13/01/2016.

#### **4. CONSULTATIONS**

##### **i) RBC Transport**

- 4.1 The Transport Development Control section advises that the site is located in Zone 2 (Primary Core Area) of the Revised Parking Standards and Design SPD. This zone directly surrounds the Central Core Area and extends to walking distances of 2 kilometres from the centre of Reading. Typically this zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone.
- 4.2 In accordance with the adopted Parking Standards and Design SPD, the development is required to provide 16 on-site parking spaces (1 space per 2-bed unit & 2 spaces per 3-bed unit). The proposed parking provision of 9 falls short of the required standard; however the average car ownership data shows that households do not have in excess of 1 vehicle per 2 and 3 bed dwelling, therefore the proposed provision of 9 off road car parking spaces would be deemed acceptable in this instance given the close proximity to the town centre. The parking layout as detailed in Proposed Site Plan 6671:18:2 rev A is deemed acceptable as it is the same as the layout which was proposed and accepted in Application 141116.
- 4.3 The Design and Access Statement submitted states that access to the site will be accessed via the existing Baker Street gated entrance. In considering application 141116 it was reported by the Transport Advisor that the width of the access was 4m, which was marginally less than the required width of 4.1m. After comparing the vehicle movements from the previous use it was agreed that the proposed development would result in an increase of daily vehicle movements. However these would be evenly distributed throughout the day and therefore the widening of the access was not required. The on-site shared surface is considered suitable for the purposes of access and on-site parking, with conditions recommended which secure the provision (and retention thereafter) of the access and parking spaces prior to first occupation.
- 4.4 The existing gates to the site are to be retained (as was also the case in permission 141116). Ideally Transport would have preferred for these gates to be removed or set back, to prevent blocking the footway and carriageway whilst the gates are opened. However, as this is an existing provision, it is not considered possible to object to them being retained.
- 4.5 The site is located in an area designated as a Residents Parking Permit Area; Zone 08R. Under the Borough's current parking standards, this proposal would generate additional pressure for parking in the area. Therefore, if this application is

approved there should be an assumption that any future occupants of the proposed dwellings will not be issued with a resident parking permit. This should be secured by condition and an informative applied. 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.

- 4.6 In accordance with the adopted Parking SPD, the development is required to provide a minimum of 2 cycle parking spaces for each dwelling which should be in a conveniently located, lockable, covered store. This therefore equates to a minimum of 18 cycle parking spaces for this proposed development. Plans submitted do illustrate cycle parking provision (to the rear of No. 55); however no details about the number or type of storage have been provided. Therefore a pre-occupation condition will secure cycle parking details.
- 4.7 Refuse storage areas have been illustrated on the plans located at the front of the development for plots 1-6 and at the end of the shared surface access for plots 7-9. These will be enclosed within simply designed structures for each unit. The facilities are considered appropriate and a compliance condition will secure these being provided prior to first occupation and retained thereafter.
- 4.8 Finally, owing to the nature of the proposals and proximity to highways / nearby residential occupiers, a construction method statement will be secured via pre-commencement condition.
- 4.9 Therefore, in overall terms, there are no Transport based objections to this application. This is subject to the conditions securing:
- Pre-commencement construction method statement;
  - Cycle parking details submitted/approved prior to first occupation;
  - Pre-occupation implementation of vehicle parking / turning details provided
  - Pre-occupation implementation of shared surface access details provided
  - Pre-occupation implementation of bin storage details provided
  - Pre-occupation notification of postal addresses (restricting parking permits)
  - No automatic entitlement to parking permits
- 4.10 Transport-based informatives are also recommended in relation to highways works and parking permits.

**ii) RBC Environmental Health - Environmental Protection (EP)**

- 4.11 There are potential EP concerns from a contaminated land perspective, as well as during the construction phase. Considering the contaminated land matters first, the site was historically used as a painting works and has the potential to have caused contaminated land. In light of this and the proposed development being a sensitive land use, the full four stage contaminated land conditions (site characterisation; remediation scheme; implementation of approved remediation scheme; reporting of unexpected contamination) are recommended given no desk study has been submitted with the application.
- 4.12 In terms of the construction phase, conditions to control hours of working, specify there to be no bonfires during site clearance and secure details of noise and dust measures (within the transport based construction method statement) are recommended. With these conditions secured the proposals are considered to be appropriate from an EP perspective.

### **iii) RBC Housing**

- 4.13 The proposal to include two on-site affordable housing units is welcomed in principle and should be secured in full via the s106 legal agreement. At the time of permission 141116 the s106 was flexible in providing these as either affordable rent or shared ownership units. Given the local policy context has not changed in the intervening period, it would not be sustainable to resist a similar arrangement in this instance. However, given the small number of on-site units being proposed (2) may result in practical management difficulties for any Registered Provider (RP) or Housing Association (HA), a fall-back position should also now be secured within the legal agreement. More specifically, in the event a RP or HA is not secured, the units would be offered to the Council to be provided by the Council as Affordable Housing. Thereafter, in the event that an affordable housing provider not being secured, the developer should pay the Council a default affordable housing financial contribution (based on the Gross Development Value of the development) for provision of Affordable Housing elsewhere in the Borough. Subject to the above being secured in full via s106 legal agreement, the proposals are appropriate from a RBC Housing perspective.

### **iv) RBC Planning Natural Environment**

- 4.14 A tree survey, undertaken in July 2018, has been submitted as part of the application. The Natural Environment officer notes that the current application is effectively a renewal of 141116/FUL, which was ultimately deemed acceptable in relation to trees. At this time various tree documents had been submitted and a number of conditions were attached to the permission. With this context in mind it is considered to be slightly disappointing that the same level of tree information has not been provided in this instance, specifically the tree works schedule. In addition, given the applicant would be aware of the likely repeat of a condition for an Arboricultural Method Statement, submission of this with the application should have been considered.
- 4.15 However, in the context of the permission at the site and this was previously approved in relation to trees and landscaping (with the prevailing context not changing significantly in the intervening time), it is reasonable to offer no objections to this proposal. This however is subject to more stringent conditions than were included previously, to reflect the level/nature of information submitted at this time:
- Pre-commencement arboricultural method statement and tree protection plan
  - Pre-commencement hard and soft landscaping details
  - Implementation of the approved landscaping no later than during the first planting season following the date when the development is ready for occupation
  - Landscaping maintenance / replacement for a period of 5 years

### **v) RBC Ecology Consultant (GS Ecology)**

- 4.16 This is an identical application to that approved under planning application reference 141116 (now expired). The site is a small area bordered by residential housing and scattered trees. The predominant habitat on the site is hardstanding with scattered scrub and contains no trees. The site previously contained stands of Japanese Knotweed and planning condition 19 of 141116 required the submission of a Japanese Knotweed survey and eradication strategy. The applicant has not submitted any further information in this regard at the time of this application and has confirmed acceptance of the pre-commencement condition secured at the time

of 141116 being secured at this time too. As such, a similar condition to that secured in 2014 is considered reasonable and necessary in this context.

**vi) Berkshire Archaeology**

- 4.17 Berkshire Archaeology acknowledges that they had previously recommended that archaeological work should be required and secured by a condition in relation to redevelopment of this site (as part of permission 141116). However, the site and proposals have been re-reviewed. It is considered that given the impacts from previous buildings within the site and the scale it is now considered unlikely that archaeological investigations would provide meaningful results.
- 4.18 More specifically, the proposals are located within the garden area of the former St Mary's Home and it is unlikely that any remains of this survive. Furthermore, the potential for remains from other periods is low given the previous impacts and scale of the site. Therefore, without a specific reason to recommend archaeological investigations, Berkshire Archaeology now advises that no archaeological work is required.

**vii) Public consultation**

- 4.19 Notification letters were sent to nearby occupiers on 15/08/18. A site notice was erected on 15/08/2018, expiring on 05/09/2018. A press notice was published on 23/08/2018, expiring on 13/09/2018. A total of three objections have been received, two from nearby Baker Street addresses and one from Jesse Terrace. A summary of the issues raised are as follows:
- 4.20 Design
- Height – With two exceptions, the building heights will not be subservient to the existing street frontage properties as the proposal is mainly for three storey dwellings.
  - Restriction of permitted development rights – request that the previous condition included, to prevent overdevelopment and impacting on the character of the conservation area / setting of nearby listed buildings. One response takes this to mean the proposal as it stands would overdevelop the site.
  - Suggestion that fewer dwellings and a mix of single storey and two storey dwellings should be given serious consideration. Single storey dwellings would be accessible and assist 'downsizers', freeing up family sized property elsewhere.
- 4.21 Amenity
- Security & privacy – land levels within Baker St gardens are 1m higher than the level of the application site. The reduction of the wall to 2m would lead to plots 1 and 2 overlooking Baker Street gardens/kitchen/bedroom, impinging on privacy and not providing adequate security (leading to increased fear of crime). In the 2015 permission the applicant agreed to leave the walls as they are – secured via condition – the applicant seems to have forgotten this. A separate response raises similar matters. With the Party Wall Act in mind, a nearby occupier does not wish the wall be to be deconstructed or reduced in height to 2m.
  - Another response refers to a loss of privacy to a Baker Street bedroom, bathroom and sitting room, with clear sight lines to these rooms from the proposal from plots 2 and 3. Considered that the modifications during application 141116 appear to have been disregarded (Officer note: the proposed elevation plans are identical to those approved at the time of 141116). In relation to security, this response states

the potential to attract unsociable behaviour is increased with the removal of gated access to the site (Officer note: the proposed site plan shows the existing gates would remain on the Baker Street frontage). Security concerns also arise given there is no mention of street/security lighting and whether the road would be adopted or not.

- A separate response states that 3 x 3-storey dwellings include dormer windows and back directly onto Jesse Terrace rear gardens – an intrusion of privacy (Officer note: plots 7-9 do not include dormer windows - rooflights are proposed within the roofscape)
- Pollution and noise disturbance – from car fumes / movements parking next to Baker St gardens
- Refuse – concerns about distances between homes and bin storage areas, resulting in the likelihood of some residents leaving bags of rubbish in their gardens (attracting vermin). Request that bins are kept at each address and moved to specified areas on bin day.
- Another response also raises concerns about the management of the refuse spaces (open to abuse and leading to health hazards).
- Contamination – concern over the process/impact on residents if contamination is found on the site.
- Quality of accommodation for future occupiers – it appears the applicant is seeking to maximise financial profit, rather than looking to provide high quality housing. Little regard to actual living standards – size of rooms, garages, hardstanding, distance of refuse facilities, accessible homes or homes for 'downsizers'.
- Overarching concern that the infrastructure does not support the number of dwellings proposed (Officer response: see CIL details at paragraph 2.6 above).

#### 4.22 Transport

- Parking – the proposal does not provide adequate parking for 9 houses – only 7 spaces are available (Officer note: 9 spaces for future residents are shown on the site plan, together with one for No. 55a) and most modern homes have two cars – where will the second, third cars park? Request that the 141116 condition restricting the issuing of parking permits remains.
- Another response states the proposal does not provide appropriate parking provision (demonstrably inadequate), with less than one space per dwelling and no visitor or tradesperson spaces. It is also referenced that the proposal potentially restricts emergency vehicle access to the rear of existing properties (No's 51-47)
- Access is retained to the rear for No's 53 & 55 (owned by the applicant) – access should be considered appropriate for the owners of No's 51-47.

#### 4.23 Trees, landscaping and ecology

- Trees and landscaping – concerns if overhanging branches on trees outside the site are felled – concerns over loss of trees within plots 7-9 (as they increase privacy and assist wildlife)
- A separate response is anxious for sycamore trees on Jesse Terrace boundary to be retained/managed and not felled.
- Concern about potential lack of ongoing upkeep of the proposed landscaping
- Ecology – concerns over impact on residents, pets and wildlife if existing Japanese knotweed is dealt with chemically.

#### 4.24 Other matters

- Archaeology – request that the condition secured at the time of 141116 is maintained.

- Lack of consultation by the applicant regarding the northern boundary wall at the site (Officer note: it is not a statutory requirement for applicants to consult nearby occupiers)
  - Very disappointing that the recommendations made at the time of application 141116 appear not to have been acknowledged in this latest application.
- 4.25 It is also noted that all three responses comment that they do not object to the principle of residential development at the site, with one commenting that it is important that this site is used for much needed housing. Another response states that the principle of the mews/townhouses idea is a good one.
- 4.26 **Baker Street Area Neighbourhood Association (BSANA) and Reading Conservation Area Advisory Committee (CAAC)** were also formally consulted on the application. No response has been received from either BSANA or the CAAC.

## 5. LEGAL AND PLANNING POLICY CONTEXT

- 5.1 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.
- 5.2 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.
- 5.3 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'.
- 5.4 The application has been assessed against the following policies:
- 5.5 **National**

National Planning Policy Framework (2018)  
National Planning Policy Guidance (2014 onwards)

### 5.6 **Reading Borough Local Development Framework - Adopted Core Strategy (2008) (Altered 2015)**

CS1 Sustainable Construction and Design  
CS2 Waste Minimisation  
CS4 Accessibility and the Intensity of Development  
CS5 Inclusive Access  
CS7 Design and the Public Realm  
CS9 Infrastructure, Services, Resources and Amenities  
CS11 Use of Employment Land for Alternative Uses  
CS14 Provision of housing  
CS15 Location, Accessibility, Density and Housing Mix  
CS20 Implementation of the Reading Transport Strategy  
CS24 Car / Cycle Parking  
CS29 Provision of Open Space

- CS32 Impacts on Community Facilities
- CS33 Protection and Enhancement of the Historic Environment
- CS34 Pollution and Water Resources
- CS36 Biodiversity and Geology
- CS38 Trees, Hedges and Woodlands

#### 5.7 **Sites and Detailed Policies Document (2012) (Altered 2015)**

- SD1 Presumption in Favour of Sustainable Development
- DM1 Adaptation to Climate Change
- DM3 Infrastructure Planning
- DM4 Safeguarding Amenity
- DM5 Housing Mix
- DM6 Affordable Housing
- DM10 Private and Communal Outdoor Space
- DM12 Access, Traffic and Highway Related Matters
- DM18 Tree Planting
- DM19 Air Quality

#### 5.8 **Reading Borough Council Supplementary Planning Documents**

- Affordable Housing SPD (2013)
- Revised Parking Standards and Design SPD (2011)
- Revised SPD on Planning Obligations under Section 106 (2015)
- Sustainable Design and Construction SPD (2011)

#### 5.9 **Other relevant documentation**

- Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking (Historic England, 2015a)
- Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Historic England, 2015b)
- Reading Tree Strategy (2010)
- DCLG Technical housing standards – nationally described space standard (2015)
- Russell Street / Castle Hill Conservation Area Appraisal (2004)

### **6. APPRAISAL**

#### 6.1 The main issues are considered to be:

- i) Land use principles, including density, mix and affordable housing
  - ii) Layout, scale, appearance, design and effect on heritage assets
  - iii) Quality of accommodation for future occupiers
  - iv) Amenity for nearby occupiers
  - v) Transport and access
  - vi) Trees, landscaping and ecology
  - vii) Other matters – Sustainability, Archaeology, S106, Conditions & Equality
- i) **Land use principles, including density, mix and affordable housing**

#### 6.2 At the time of permission 141116, it was considered that the loss of the former employment use at the site was acceptable, in line with Policy CS11. The prevailing policy context at a national and local level has not significantly changed in this regard in the intervening time and therefore the same conclusion is reached

in this instance; the change of use away from the most recent employment use of the site is accepted. Moreover the site has remained vacant/unused since.

- 6.3 Turning to consider the proposed use, the provision of nine residential units on previously developed land is welcomed in principle, contributing to meeting the housing needs within the Borough in line with Policy CS14. Furthermore, the proposed density of 53 dwellings per hectare is within the 40-75 range for urban sites detailed in Policy CS15. In terms of mix, a welcome combination of two and three bed units are proposed, which would cater for a variety of household types. Although the scheme proposes fewer than 10 units, had it done so it would have complied with Policy DM5 in providing houses (rather than flats) and over 50% of these including three bedrooms (7 of the 9 units are three bed units).
- 6.4 With regard to affordable housing, the Policy DM6 policy requirement for 5-9 unit schemes is 20% on-site provision. For a nine unit scheme this equates to 1.8 units. The applicant is proposing for two on-site units to be affordable housing – plots 8 and 9. This equates to a 22.22% on-site provision, which is beyond the policy requirement and therefore strongly welcomed in principle as a tangible planning benefit of the proposed development.
- 6.5 It is noted that at the time of permission 141116 that the two on-site units were similarly proposed and secured within the s106 legal agreement as either affordable rent or shared ownership units. This flexibility in affordable housing tenure was considered appropriate in that instance owing to the small number of units being secured and the need for the proposal to be attractive for registered providers or housing associations, to aid the actual delivery of the units in practice. Within the context of the previously agreed position, it would not be sustainable to resist a similar flexible arrangement being secured in this instance. Accordingly, in this instance the units would be secured as either affordable rent or shared ownership affordable housing units. However, as is now typical a fallback position will also be secured within the legal agreement for the Council to be offered the units should registered providers or housing associations not wish to pursue the units. Moreover, should the Council not wish to provide/manage the units a default affordable housing financial contribution would be secured for provision of Affordable Housing elsewhere in the Borough. As per section 4iii) above RBC Housing are agreeable with the above being secured via s106 legal agreement and therefore this element of the proposals is supported by officers.

ii) **Layout, scale, appearance, design and effect on heritage assets**

- 6.6 Considering the layout of the proposed scheme first, it is first acknowledged that the constrained L-shaped nature of the site has evidently influenced the proposed layout of buildings. It is considered that the layout of two terraces, one east-to-west and one north-to-south is an appropriate response within the prevailing context, whilst also incorporating the required amenity space, parking spaces, access and landscaping too.
- 6.7 Moving on to consider the scale of development proposed, the proposal is considered to appropriately respond and respect the existing scale of already existing buildings in the vicinity of the site (e.g. the more dominant buildings fronting Baker Street, Russell Street and Jesse Terrace). At two/three storeys (with the upper most floor being within the roofscape in all instances) and as shown in the long sections submitted with this application, the buildings are considered to remain subservient to the larger buildings which front/address the

streets within this part of the conservation area (which is a key characteristic of the area which should not be eroded).

- 6.8 The development would be more clearly viewed from within the Epping Close development to the south. Whilst still within the Conservation Area, the character of Epping Close is very different with mid-Twentieth century blocks of flats dominating visually within the street. It is considered that the development would have very little impact on the character of the conservation area when viewed from within this context.
- 6.9 Furthermore the spacing between the two terraces provides suitable relief in the massing across the site. The proposal is considered to strike an appropriate balance between maximising the potential of the site for residential development whilst not representing an overdevelopment of the site. The proposal is also considered to comply with the guidance for 'backland' development within the conservation area, as detailed at paragraph 1.2 above.
- 6.10 The form and appearance of the proposed buildings are again considered to align satisfactorily with their nearby context. The terraced form of the buildings is considered to be an appropriate reflection of the main form of buildings in the surrounding area. Furthermore, the somewhat 'traditional' appearance, with pitched slate roofs and a regular rhythm of terraced brick-built houses within each block, is considered appropriate. However, the proposal is not seeking a pastiche of the surrounding streets, with a contrasting character of its own being sought to be introduced (e.g. bay windows on plots 3-6). This is considered to result in a suitable design approach, which has been carefully considered and indicates a sufficient quality of appearance which would preserve and enhance the character and appearance of the conservation area.
- 6.11 It is however also recognised that the success of the scheme from a design perspective will to an extent be dependent on the quality and finished appearance of the exact materials. As such, it is considered necessary to secure a condition for samples of all facing materials to be submitted / approved prior to the commencement of works.
- 6.12 With regard to the specific impact on nearby heritage assets, it has already been outlined above that the scale and appearance of the proposal is considered subservient and appropriate within the context of the Baker Street, Russell Street and Jesse Terrace fronting buildings within the conservation area. On this basis it is considered that the setting of the listed buildings at 55/55a Baker Street and 33 to 39 Baker Street would not be significantly harmed or affected and for the same reasons the character and appearance of the Russell Street/Castle Hill Conservation Area would be preserved and potentially enhanced (within the context of a vacant site overgrown in places, as seen during the officer site visit).
- 6.13 In overall terms the proposals are considered to comply with Policies CS7 and CS33. It is also important to note that an identically designed proposal was granted planning permission at the site in 2015 under the same local policy context. Although the NPPF has been updated in the intervening time and that no weight can be applied to a lapsed permission, it should be noted that the general thrust of the design/heritage policy context relevant to these proposals has not changed. As such, from a design/heritage perspective the proposals are considered acceptable subject to conditions.

iii) **Quality of accommodation for future occupiers**

- 6.14 In general terms the proposed houses would provide a suitable standard of accommodation for future occupiers. The overall size of the houses would exceed the minimum floor areas detailed by the national space standards, with rooms being regular in size and shape and including sufficient floor to ceiling heights. Accordingly each house would receive suitable access to natural day/sunlight, outlook and natural ventilation. There are some acknowledged shortfalls though, such as the second bedrooms in the two-bed units (plots 1 and 2) and the third bedrooms in plots 7-9 being served solely by rooflights. It was considered at the time of permission 141116 that whilst the outlook would be reduced from these bedrooms, the rooflights would not be so high as to prevent all meaningful outlook and, moreover, the daylight and views outwards, albeit largely skywards, would provide a suitable internal environment within the bedrooms for future occupiers. A similar conclusion is reached at this time too. Therefore, the internal layout of the proposed units would create an adequate standard of living accommodation for future occupiers.
- 6.15 In terms of overlooking between separately proposed dwellings, aside from the unavoidable mutual instances of overlooking to/from first floor windows to rear amenity spaces, the properties have been designed to minimise overlooking between separate new units. In terms of noise and disturbance, no significant harmful impacts are envisaged advised. With regard to external lighting, no details have been submitted at application stage, but will be essential throughout the shared access route towards individual front doors. As such, these details will be secured via conditions (also required from an ecology perspective and to protect nearby existing amenity too). Also linked to lighting details, no significantly detrimental crime/safety impacts are envisaged with the existing Baker Street gate retained as existing and boundary treatments secured via condition (as discussed in the amenity for future occupiers section below in more detail).
- 6.16 The separate/private rear garden spaces, whilst relatively small in the case of plots 1-6 in particular, would allow opportunities for sitting out and drying space. This is complemented with the shared mews garden between the two terraces. Within the context of the constrained nature the on-site provision of private/communal open space is welcomed, considered to be of an appropriate level and in overall terms acceptable and complies with Policy DM10.
- 6.17 In terms of air quality, the applicant has submitted a non-technical report which is considered to satisfy the requirements of Policy DM19 and not require any specific mitigation measures. Environmental Protection officers raise no issues with this element of the proposals and do not recommend any conditions, consistent with the approach at the time of the 141116 permission.
- 6.18 Finally, the proposed residential units would also benefit from one on-site vehicular parking space each, and suitable waste/cycle storage spaces/facilities, with all these elements secured via condition. Therefore in overall terms a suitable standard of accommodation would be created for future occupiers, in line with Policies CS34 and DM4 in particular.

iv) **Amenity for nearby occupiers**

- 6.19 Given the backland nature of the site, surrounded by predominantly existing residential properties, the safeguarding of amenity for nearby occupiers is particularly pertinent in this case and has been carefully considered.

- 6.20 It is first noted, similar to when application 141116 was considered, public consultation representations have raised concerns that the 2m high wall mentioned in the submission to be proposed to the northern boundary. More specifically, objectors consider that this would be insufficient due to the higher ground within neighbouring gardens to the northern side, leading to possible privacy and crime/safety concerns. As was secured at the time of permission 141116 it is again considered necessary to secure a condition requiring details of all boundary treatments (as no details have been submitted with the application). This would be required to be submitted and undertaken prior to the first occupation of any residential unit. Again, this will explicitly include a requirement for the boundary wall to the northern boundary to be maintained at its existing height, or higher, adjoining No's 43 – 51 (odd) Baker Street, in order to protect neighbouring amenity. The relationship around the remainder of the site will also need to be demonstrated to be appropriate in due course, also factoring in all other considerations, such as the need to protect trees too. In all instances this will also be reliant upon separate Party Wall Agreements, with an informative recommended to be included on any planning permission decision notice.
- 6.21 Turning to consider the specific impact on Jesse Terrace occupiers first, plots 7-9 are two storey in height with accommodation within the pitched roofscapes too (served by rooflights 1.7m above the floor to ceiling height within the room). The rear elevation of these houses will face towards the rear of properties fronting Jesse Terrace, with one bedroom window and one bathroom window serving each of the three units at rear first floor level. The depth of the proposed rear gardens (c. 10m), together with the existing vegetation cover and the window to window distances being in excess of 20m means that officers consider that the proposals would not significantly harm the amenity of Jesse Terrace properties in terms of perceived overlooking, loss of privacy, overbearing effects, loss of day/sunlight or loss of outlook.
- 6.22 With regard to the impact on Baker Street properties, the side elevation of plot 7 includes no windows and no significantly harmful amenity impacts are envisaged due to the orientation of the building in relation to the rear gardens / building lines associated with Baker Street properties. In terms of plots 1 and 2, these are single storey in part, with the second floor of accommodation being within the roofslope and served solely by a rooflight (set 1.7m high within the room) on the north elevation facing the rear of the Baker Street properties. Plots 3-6 are a storey higher, but align with No's 55/55a & the access, where the distances/relationships with windows are such that the context is less sensitive than further east. As such, whilst plots 1-6 are relatively close to the boundaries with Baker Street properties, the minimal scale and very limited opportunities for overlooking at upper floor levels means that the amenity (in all DM4 considerations) is sufficiently safeguarded for Baker Street properties.
- 6.23 In respect of Russell Street properties, similar to the plot 7 / Baker Street context referenced above, no windows are proposed on the west (side) elevation of plot 6 facing this boundary. The distances involved, together with the predominance of parking spaces utilising the areas the other side of the site boundary at this point, downplay any significantly harmful amenity impacts occurring as a result of the proposed development.
- 6.24 In terms of Epping Close properties, it is acknowledged that proposed plots 3-6 are two storeys in height and the roofslope facing this boundary also include dormer windows. Furthermore, plots 1-2 also include dormers, albeit these are a storey lower in overall terms. As such, there are opportunities for overlooking and loss of

privacy. However, the alignment of the proposed building is such that this will overlook parking spaces and the highway access to Epping Close flats, with the distances / acute angles of orientation such that no harmful overlooking or loss of privacy, outlook or day/sunlight is expected for Epping Close occupiers from plots 1-6.

- 6.25 In relation to plots 7-9, it is recognised that plot 9 would extend close to the block of flats at Epping Close, beyond the southern site boundary. However, the windows at Epping Close facing the site serve kitchens/bathrooms and a communal stairwell. In addition, the flats are set on higher ground than the application site, and partially screened by intervening trees, which also serves to reduce the potential impact. Within this context it is considered that plots 7-9 would not harm the amenity of occupiers of the flats in terms of loss of privacy, overbearing impact, loss of day/sunlight or loss of outlook.
- 6.26 Finally, in relation to all nearby occupiers, a condition restricting permitted development rights for further extensions (under Class A of the General Permitted Development Order - GPDO) and outbuildings (Class E) is considered necessary and relevant in this instance. This is to help protect the nearby amenity of existing residential occupiers and also help protect the potential overdevelopment of the plots in the future, which could if not managed also impact negatively on the character and appearance of the conservation area and impact on the setting of nearby listed buildings. A separate condition will also restrict the provision of additional rooflights, windows and doors to the dwellings (unless separate permission is sought and granted by the Council) for similar reasons. It is noted that permission 141116 also removed permitted development rights in relation to roof enlargements (Class B). However, this is not recommended at this time as roof enlargements are not permissible under Class B of the GPDO given the site is located within a conservation area (which is one of the prerequisite restrictions under Class B). A separately discussed (in the quality of accommodation section above) condition relating to securing external lighting details will also protect nearby occupiers from harmful artificial light pollution.
- 6.27 In overall terms the proposals are therefore considered to comply with Policy DM4 and relevant elements of Policy CS34, subject to the aforementioned conditions.

v) **Transport and access**

- 6.28 In line with the observations provided in full at section 4i above, Transport Development Control consider the proposals to be acceptable. This is subject to various conditions being secured, which were similarly included at the time of permission 141116 at the site.

vi) **Trees, landscaping and ecology**

- 6.29 As per the observations summarised at sections 4iv and 4v above, specialist officers have considered the proposals from the perspective of trees, landscaping and ecology, and are satisfied with the proposals. This is subject to a number of conditions to secure more details, including in this instance at pre-commencement stage: arboricultural method statement; tree protection plan; full hard and soft landscaping details; and a Japanese knotweed survey/eradication survey. The landscaping will thereafter be implemented / maintained and biodiversity enhancements will also be secured. Furthermore, the already mentioned conditions relating to boundary treatments and external lighting are also necessary from this perspective as well as for amenity reasons.

- 6.30 More specifically in terms of soft landscaping, at the time of permission 141116 the officer committee report detailed that there were particular opportunities to provide larger canopy trees towards the site entrance fronting Baker Street and also within the proposed communal courtyard between the two blocks of houses (over and above the initial proposals detailed on the layout plan submitted). At the time of 141116 it was commented that larger trees would have wider benefits beyond the site as they would soften the appearance of the development and introduce trees into the streetscene where tree cover is currently limited. It was considered that this opportunity for planting would potentially enhance the appearance of the Russell Street / Castle Hill Conservation Area, in accordance with Policies CS33 and DM18. These statements remain relevant/applicable as part of the consideration of this application, with these opportunities remaining the intention of officers when subsequent details are submitted for approval via discharge of condition applications. Furthermore, it will be expected for the shared surface access to be permeable in nature.

vii) **Other matters - Sustainability, Archaeology, S106, Conditions & Equality**

- 6.31 In terms of sustainability, the applicant has indicated that the proposal will include features which will demonstrate the sustainability credentials of the development. For example, the applicant has indicated that building materials will be sourced from managed resources and the thermal performance of the building will be a key focus. Such measures are considered to sufficiently indicate that the proposals comply with the principles of Policies CS1 and DM1, whilst also mindful of the withdrawal of Code for Sustainable Homes.
- 6.32 Turing to consider archaeology matters, Berkshire Archaeology's observations are detailed at section 4 vi) above. Further to this, a condition in this regard is not considered either reasonable or necessary and therefore fails the six 'tests' required for any condition. As such, no archaeologically based condition is recommended.
- 6.33 With regard to the Section 106 Legal Agreement, it is considered that the affordable housing obligation referred to above would comply with the National Planning Policy Framework and Community Infrastructure Levy (CIL) in that it would be: i) necessary to make the development acceptable in planning terms, ii) directly related to the development and iii) fairly and reasonably related in scale and kind to the development.
- 6.34 It is also noted that the financial contributions secured via s106 at the time of 141116 will no longer be sought or secured via s106 at this time. This is as such matters will instead be secured through the community infrastructure levy (CIL), as detailed at section 2 above. At the time of 141116 financial contributions towards education (£92,070), open space (£23,000) and transport (£9,546) were secured.
- 6.35 In relation to planning conditions, in line with section 100ZA(5) of the Town and Country Planning Act (as amended), which came into force on 01/10/18, discussions have been undertaken with the applicant regarding pre-commencement conditions. The applicant has formally agreed to the recommended pre-commencement conditions via return email on 08/10/18.
- 6.36 Furthermore, there are a number of conditions which were secured at the time of permission 141116 which, mainly due to legislative changes in the intervening

time, are not appropriate to secure as part of this application. For example, this relates to code for sustainable homes and lifetime homes matters. Furthermore, other conditions previously secured are now not able to (bearing in mind the six 'tests' all conditions need to meet) for a variety of other reasons: Archaeology (no longer considered necessary by Berkshire Archaeology); SuDS (now only reasonably sought on 'major' applications, for which this is not); prevention of rooflights lower than 1.7m (floor to ceiling heights now shown on section plans, meaning this condition is not necessary as it is secured by the 'development to be carried out in accordance with the approved plans' and 'no additional rooflights' conditions).

- 6.37 Finally, in terms of equality, 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.

## **7. CONCLUSION**

- 7.1 The proposals are considered to be acceptable within the context of national and local planning policies, as detailed in the appraisal above. As such, full planning permission is recommended for approval, subject to the recommended conditions and completion of the S106 Legal Agreement.

### **Drawings and information submitted:**

6671:18:1 Rev A – Site Survey & Location Plans, as received 08/08/18  
6671:18:2 Rev A – Proposed Site Plan, as received 08/08/18  
6671:18:3 Rev A – Proposed Site Sections, as received 08/08/18  
6671:18:4 Rev A – Plot 1-6 Floor Plans & Elevations, as received 08/08/18  
6671:18:5 Rev A – Plot 7-9 Floor Plans & Elevations, as received 08/08/18

Design and Access Statement by BDS Surveyors Limited, Ref TCG/6671-designstat Rev A, dated & received 08/08/18

Non-Technical Air Quality Report by Bell Cornwell, Ref 8869, dated July 2018, as received 08/08/18

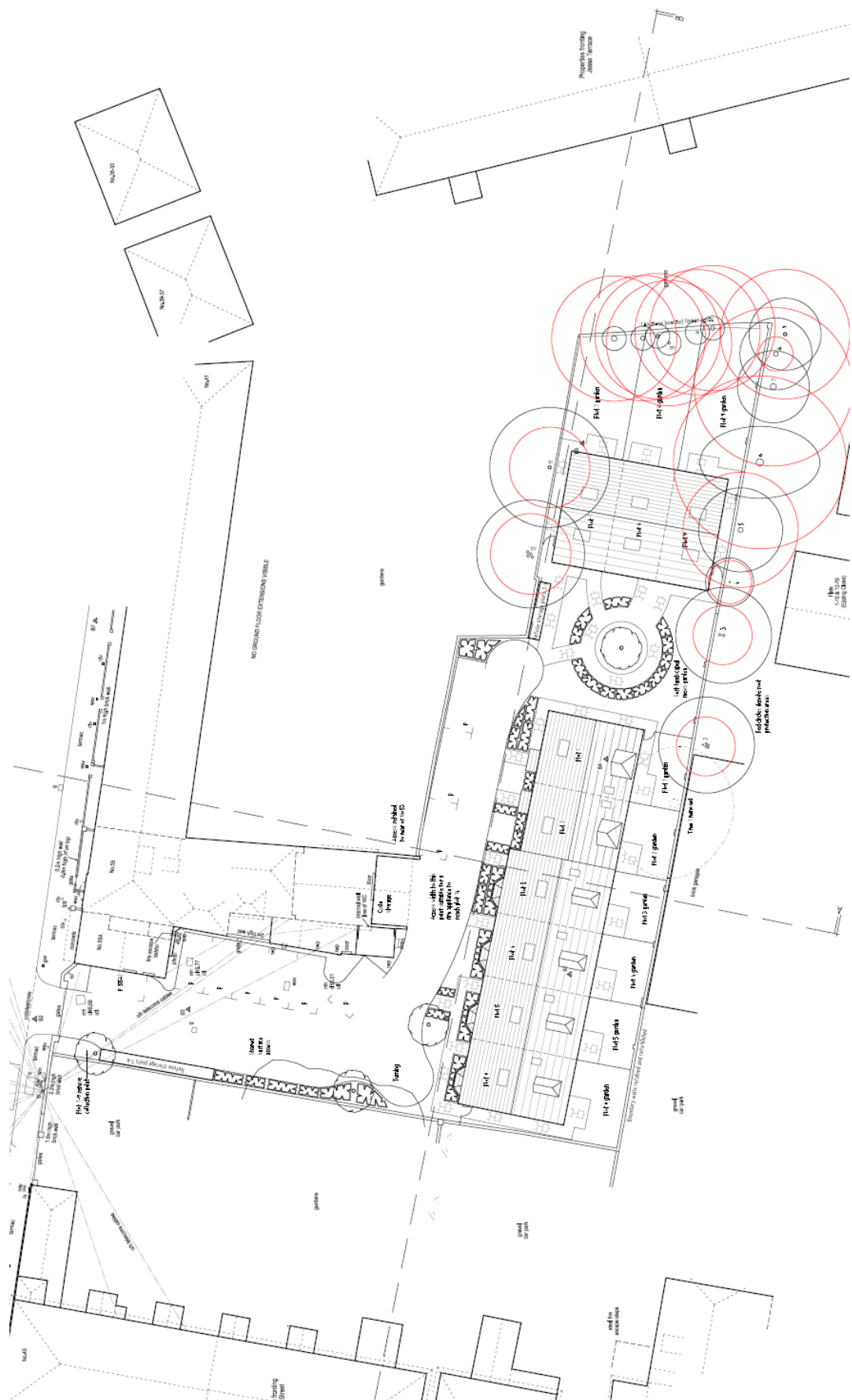
BS 5837:2012 Tree Survey by Tree Surveys Ref SPH/PB/5837-01/18.07, dated 18/07/18, as received 08/08/18

6671:18:6 - CIL Floor Areas, as received 08/08/18

Email from BDS Surveyors Limited, Ref Re: 57 Baker St, Reading (180624), dated & received 08/08/18

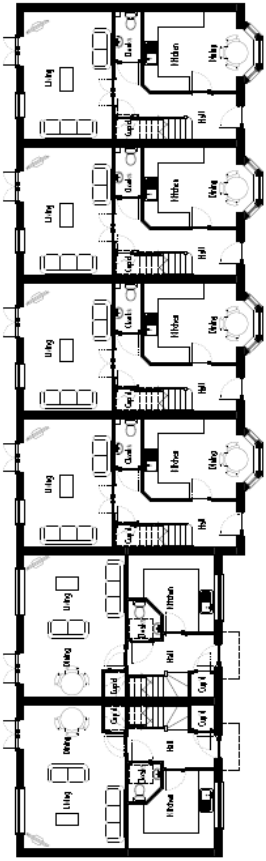
Email from BDS Surveyors Limited, Ref Re: 57 Baker St, Reading (180624), dated & received 08/10/18

Case Officer: Jonathan Markwell



Proposed site plan

Next page: Proposed floor plans



PLOT 1  
GROUND FLOOR PLAN

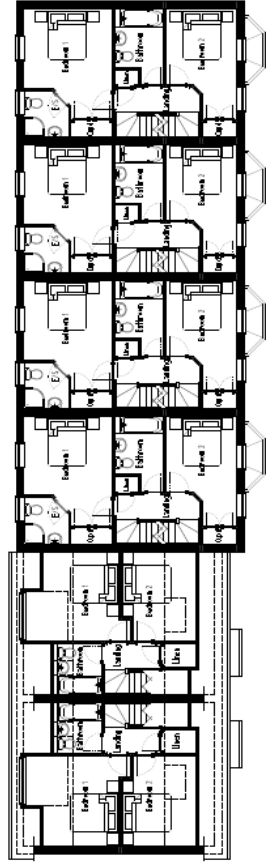
PLOT 2

PLOT 3

PLOT 4

PLOT 5

PLOT 6



PLOT 1  
FIRST FLOOR PLAN

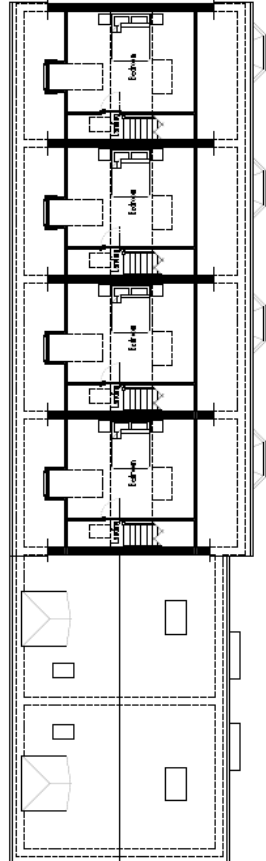
PLOT 2

PLOT 3

PLOT 4

PLOT 5

PLOT 6



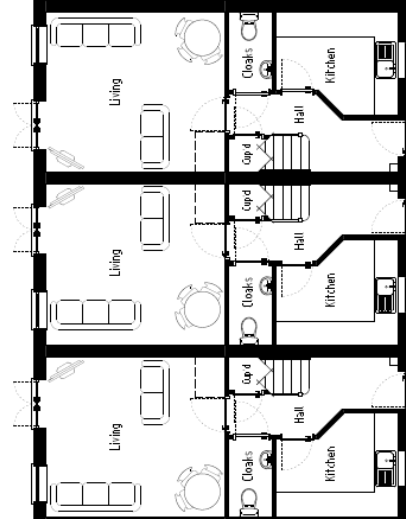
LOFT FLOOR PLAN

PLOT 3

PLOT 4

PLOT 5

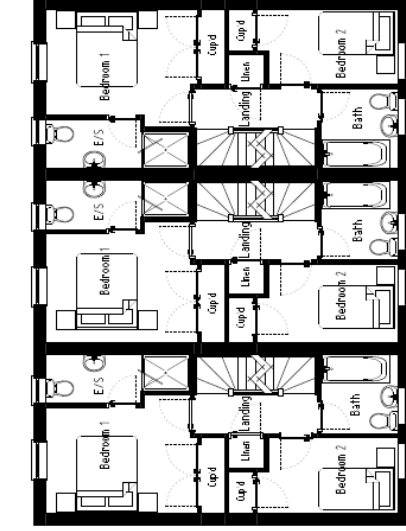
PLOT 6



PLOT 7  
GROUND FLOOR PLAN

PLOT 8

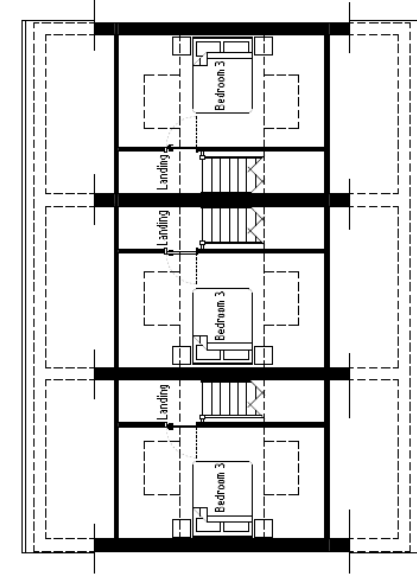
PLOT 9



PLOT 7  
FIRST FLOOR PLAN

PLOT 8

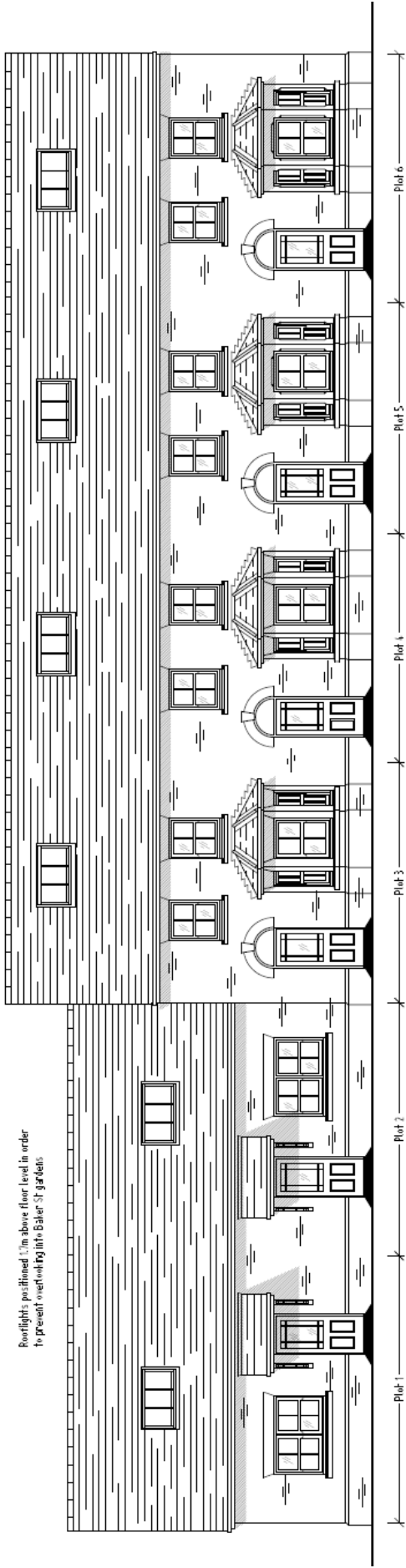
PLOT 9



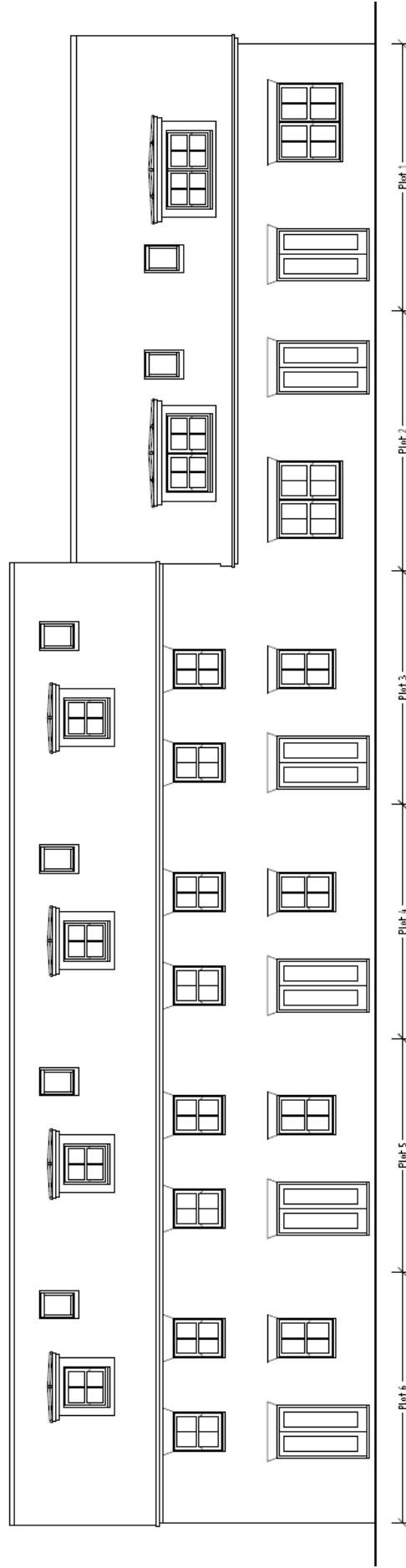
PLOT 7  
LOFT FLOOR PLAN

PLOT 8

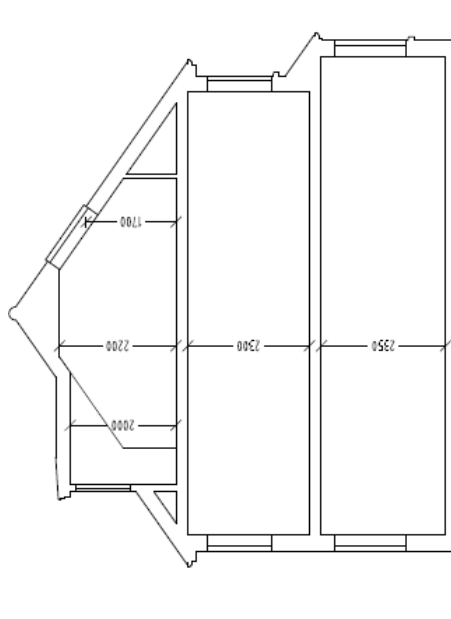
PLOT 9



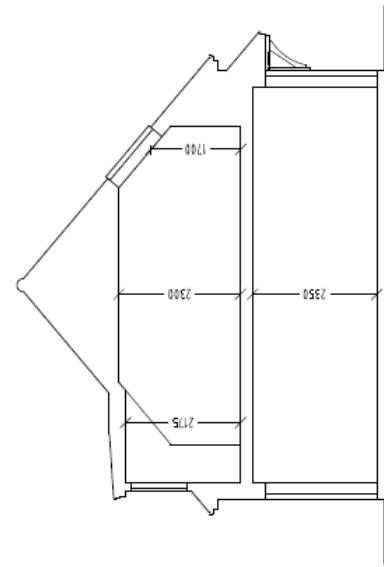
FRONT ELEVATION  
ELEVATIONS PLOTS 1-6



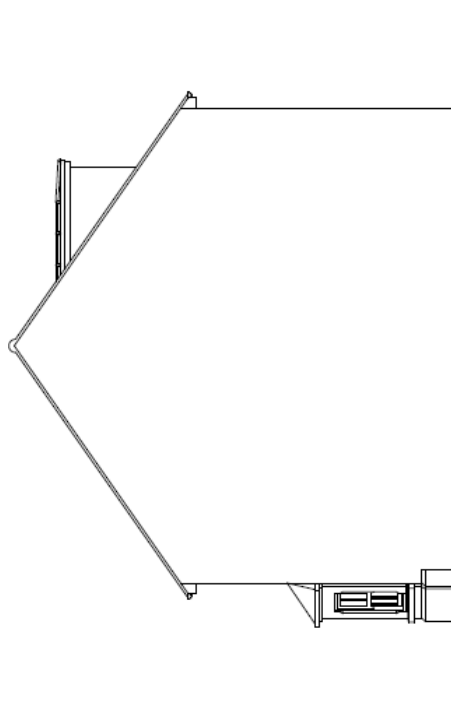
REAR ELEVATION



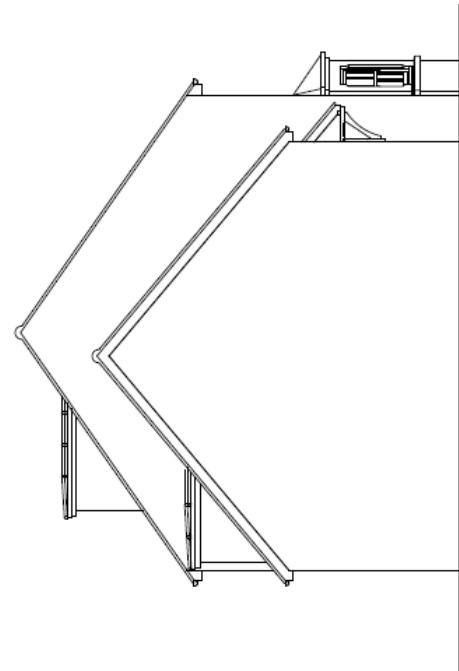
TYPICAL SECTION PLOTS 3-6



TYPICAL SECTION PLOTS 1-2

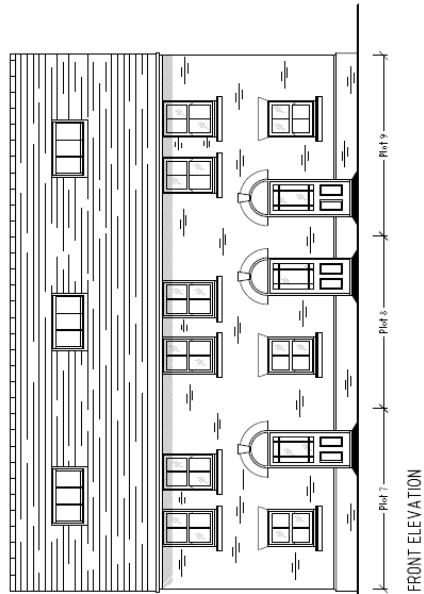


SIDE ELEVATION

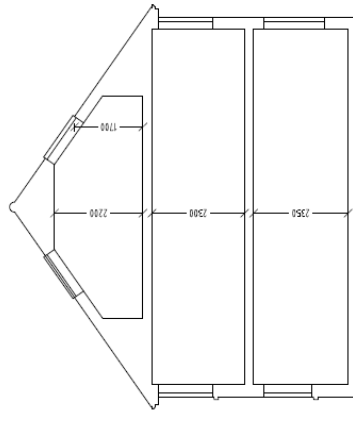
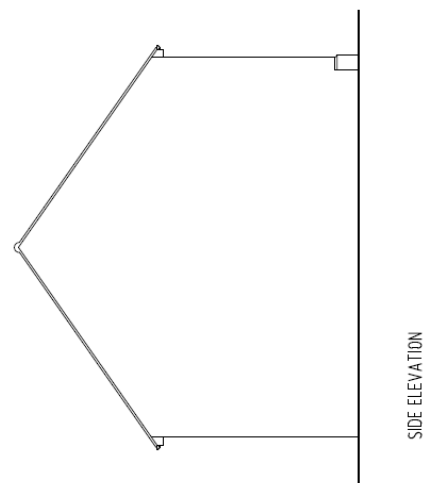
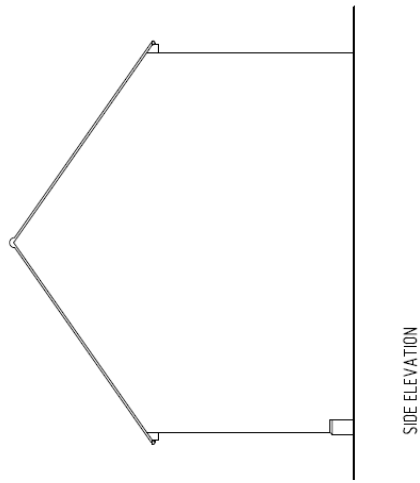
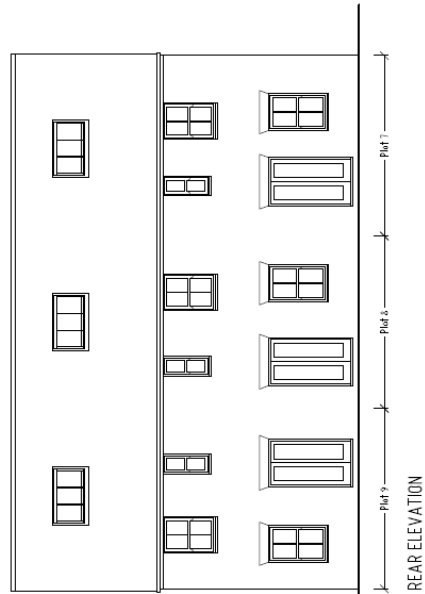


SIDE ELEVATION

Plots 1-6 side elevations and sections

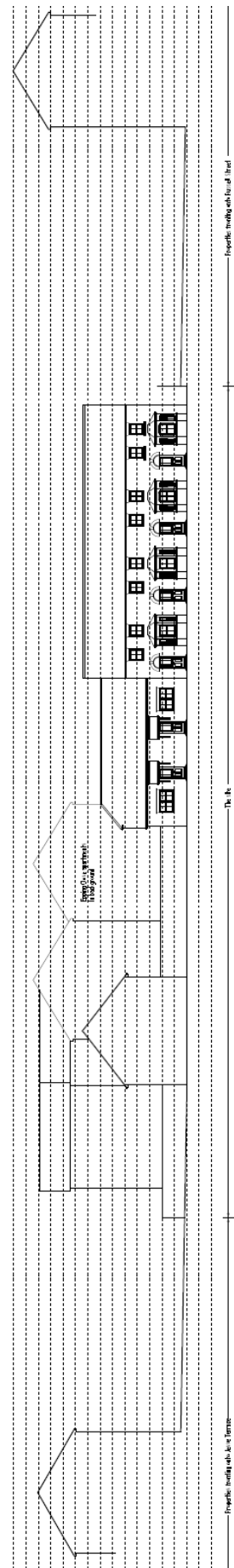
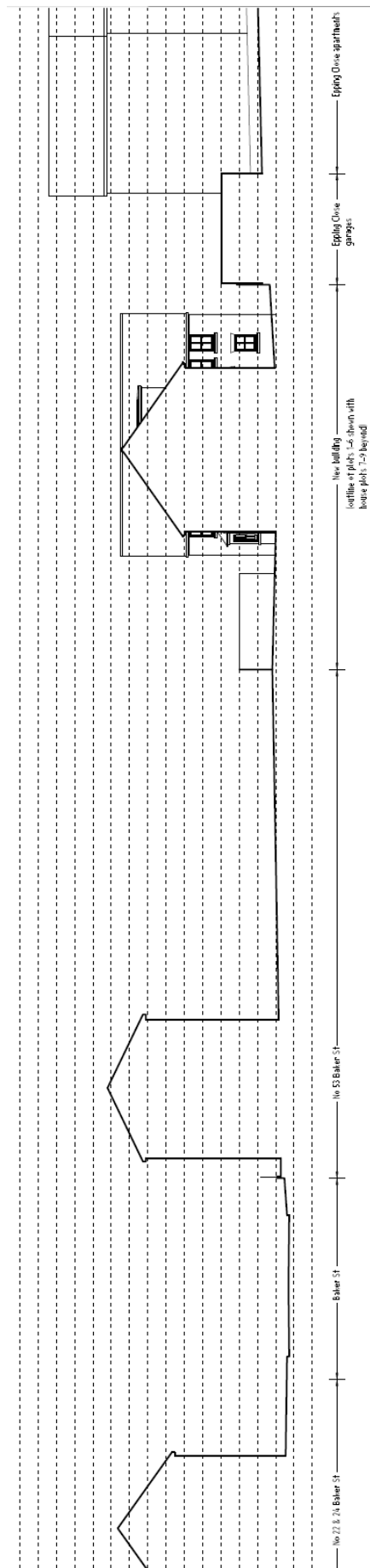


Baylights provided 1m above floor level in order to provide overlighting towards Axis Terrace



TYPICAL SECTION PLOTS 7-9

Plot 7-9 elevations and section



Long sections between Baker St & Epping Cl (left) and Jesse Terrace & Russell St (right)



Aerial view looking east



Aerial view looking south



Aerial view looking west



The application site from the Baker Street entrance



From within the site looking towards the Baker Street entrance and the boundary treatment with the rear of Russell Street properties and 55/55a Baker Street



Looking east from within the site towards the rear of Jesse Terrace properties



Looking north-east from within the site towards the rear of Baker Street properties



Looking west from within the site towards the rear of Russell Street properties



The application site boundary and relationship with Epping Close buildings



From Baker Street looking south-east at the existing Baker Street streetscene, the site entrance and the Epping Close buildings in the background