

DELEGATED APPLICATION REPORT

Address: 52 Gower Street, Reading, RG1 7PE

Application No: 182035/FUL

Proposal: Single storey side and rear extension to provide one additional self-contained studio flat (Class C3) at ground floor level and alterations to the existing ground and first floor flats (amended description)

Applicant: Mr Shahid Tufail

Date received (valid from): 19/11/2019

Target Decision date: 30/01/2019

Case officer: Anthony Scholes

1. Site Description and Surrounding Area

- i. The application site comprises a two-storey end-of-terrace building located on the north-west side of Gower Street, adjacent to the turn in the road which links into Mason Street. The building has been divided into two flats and there is a gate to the side, where there is an existing part-one, part-two storey outrigger. Beyond this is a shed and steps up to the remainder of the rear amenity space, which is at a higher level than the main house (effectively the embankment up to the adjacent railway line). Being end-of-terrace, the plot is irregular in that it includes a splayed front entrance and is a wider plot to the typical width of properties along this terrace.
- ii. Although the surrounding area is predominantly residential in nature (terraces of properties along Mason Street and Gower Street), the site adjoins other uses too. Beyond the north-eastern boundary is a scrap metal recycling yard (WN Thomas & Sons Ltd) and to the rear of the site (to the north-west of the site - on higher ground) is the main railway line between Reading and Reading West Stations.
- iii. The application site is not listed, nor within a conservation area. There are no TPO trees at the site, but the site is within a green link (policy DM17). The application site is also within an Air Quality Management Area.

2. The Proposal

- i. Planning permission is sought for a single storey side and rear extension to provide:
 - a new self-contained residential unit at ground floor level (increasing the overall number of residential units at the site from 2 to 3)
 - extensions / alterations to existing ground floor flat including:
 - Reconfiguration of the internal layout, including removal of one bedroom and changes to the existing kitchen, through a ground floor extension on the boundary with neighbouring No. 50.
- ii. The proposed rear extension will necessitate the demolition of an existing outbuilding in the rear garden. A cycle store is also shown to be provided in the rear amenity space.
- iii. The applicant has submitted two valuations with view to providing a financial contribution towards affordable housing in the borough.

3. Consultation

- i. Neighbour Consultation
Consultation letters were sent to neighbouring occupiers on 5/12/18. No responses have been received.
- ii. Internal Consultation

RBC Transport Planning

Gower Street is situated just off the A329 Oxford Road, which is a busy public transport route between the central Reading and the west. 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. This area is well served by rail and bus links and also contains the largest proportion of public car parking spaces. In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide a parking provision of 1 space for the proposed unit.

The property has been previously converted into 2 x 1 bed flats. There is no existing off road parking associated with the development. There are double yellow lines directly outside the property. This application is for a single side and rear extension to provide a studio flat on the ground floor.

The development site is located in an area designated as a Residents Parking Permit Area; Zone 05R. 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 dwelling will not be issued with a resident or visitor parking permit which should be covered 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.

Images appear indicate that there is an existing dropped kerb currently servicing the area proposed for the extension. As this is no longer used, the kerb will need to be realigned with the footway. A license will be required from the Highways Department and will be covered by way of condition.

Refuse storage and collection has been illustrated at the front of the site which is reflective of other properties in the street and is therefore deemed acceptable.

Cycle storage has not been illustrated on submitted plans. The Planning Statement states that a cycle bunker is proposed at the rear of the property to accommodate 3 cycles, and a wall mounted Sheffield cycle hoop will be fixed to the existing Front wall. Cycle storage should be covered and lockable. Revised plans are required illustrating the location, number and type of provision proposed. In accordance with the Councils current SPD a minimum of 1 storage space should be provided for the new unit. I am happy to deal with this by way of condition.

From a transport perspective the proposals are considered to be satisfactory, subject to the following conditions and informatives:

DC5 Bicycle parking - plans to be approved

- (a) No development shall take place until a plan has been submitted to and been approved in writing by the Local Planning Authority to show how bicycle parking facilities can be provided on site.*
- (b) No building or use hereby permitted shall be occupied or the use commenced until the bicycle parking facility for that building or use has been completed as shown on the approved plan.*
- (c) Thereafter the bicycle parking facility shall be kept free of obstruction and available for the approved use at all times.*

Reason: To encourage travel by sustainable alternatives to driving a motorcar in accordance with the Local Planning Authority's approved transport policies CS23 and CS24.

DC6 Bin storage

No dwelling shall be occupied until the bin storage facility shown on the approved plans has been provided and the bin storage facility shall be retained thereafter for use by occupiers of the dwelling/building at all times.

Reason: in the interests of the visual amenity of the area and to ensure that bins can be easily accessed when required in accordance with Policy CS7.

DC7 Parking permits 1

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

Reason: In order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the new residential units hereby approved, and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area in accordance with Policy CS24 and Policy DM12.

DC8 Parking permits 2

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

Reason: In order that the prospective occupiers are made aware of the fact that while they can submit an application they will not be automatically entitled to an on-street car parking permit. In the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area in accordance with Policy CS24 and Policy DM12.

Access closure with reinstatement

The existing access(es) to the site shall be stopped up and abandoned immediately after the new access has been brought into use. The footway(s) and verge shall be reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interests of road safety and maintenance of the highway in accordance with Core Strategy Policy CS20 and Sites and Detailed Policies document Policy DM12.

INFORMATIVE:

IF3 Highways

i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.

ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.

I13 Parking Permits

The occupiers of the residential unit(s) will not be automatically entitled to an on-street car parking permit. Current and new occupiers should be informed of this and be advised to find out more about parking permits on the Council's website. There is already a high level of on street car parking in the area and the site is located close to local facilities, with frequent public transport services on nearby roads.

RBC Environmental Protection

A noise assessment should be submitted in support of applications for new residential proposed in noisy areas.

The noise assessment will be assessed against the recommendations for internal noise levels within dwellings and external noise levels within gardens / balconies in accordance with BS 8233:2014 and WHO guidelines for Community Noise. The report should identify any mitigation measures that are necessary to ensure that the recommended standard is met.

Where appropriate, the noise assessment data should also include noise events (L_{AMax}) and the design should aim to prevent noise levels from noise events exceeding 45dB within bedrooms at night. Noise levels above 45dB are linked with sleep disturbance.

Internal noise criteria (taken from BS8233:2014)

Room	Design criteria	Upper limit
Bedrooms (23:00 to 07:00)	<30dB L _{Aeq,8hour}	
Living rooms (07:00 - 23:00)	<35dB L _{Aeq,16hour}	
Gardens & Balconies	<50dB L _{Aeq,T}	<55dB L _{Aeq,T}

As a noise assessment has not been submitted and the proposed development is by a railway line and additionally I understand it is next to a scrap metal merchant, it is recommended that a condition is attached to any consent requiring a noise assessment to be submitted prior to commencement of development and any approved mitigation measures implemented prior to occupation to show that recommended noise levels in the table above can be met.

The noise assessment will need to identify the external noise levels impacting on the proposed site.

Noise mitigation is likely to focus on the weak point in the structure; glazing. Given that the acoustic integrity would be compromised should the windows be opened, ventilation details must also be provided, where mitigation relies on closed windows. Ventilation measures should be selected which do not allow unacceptable noise ingress and should provide sufficient ventilation to avoid the need to open windows in hot weather, however non-openable windows are not considered an acceptable solution due to the impact on living standards.

From an environmental health perspective the proposals are considered to be satisfactory, subject to the following conditions and informatives:

Sound Insulation from External Noise

No development shall take place until a detailed scheme, informed by an assessment of the current noise environment, for protecting the dwellings from the external noise environment of the area has been submitted to and approved, in writing, by the Local Planning Authority. The scheme itself shall be designed, specified and constructed so that the sound insulation performance of the structure and the layout of the dwellings are such that the indoor ambient noise levels do not exceed the values detailed in Table 4 of BS 8233:2014. Where opening windows will lead to an internal noise level increase of 5 dBA or greater above BS 8233:2014 recommended internal levels, the scheme shall include provision of alternative mechanical ventilation with minimum performance equivalent to a mechanical heat recovery (MVHR) system with cool air bypass as an alternative means of cooling and ventilation. Noise from the system should not result in BS8233 internal levels being exceeded.

Thereafter, the development shall not be carried out other than in accordance with the approved scheme which shall be completed before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing.

Reason: to protect the amenity of future occupants of the proposed development.

Noise between residential properties - sound insulation of any building

Informative

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

Construction and demolition phases - extensions / renovations

We commonly receive complaints about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and about smoke from bonfires associated with the burning of waste on site of minor developments.

Recommended Informative

Noisy construction, demolition and associated activities should be restricted to between the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, with no noisy works taking place at any time on Sundays and Bank or Statutory Holidays.

There should be no burning of waste on the site.

Ecology Consultant for RBC (GS Ecology)

The application site comprises an end of terrace house where it is proposed to erect a single storey side and rear extension. This application is a resubmission of planning application 180721, which was refused, however ecology was not a reason for refusal. The works will not affect the roof, which appears to be in good condition (as per Google StreetView), and it is considered unlikely that the works will adversely affect bats. As such, since the proposals are unlikely to affect bats or other protected species, there are no objections to this application on ecological grounds.

4. Plans & Documents Considered

- i. The Council, in reaching its recommendation, has taken into consideration the following plans & documents:

Drawing No. PL/A397/105 - Location and site plan

Drawing No. PL/A397/101 - Existing ground and first floor plans

Drawing No. PL/A397/103 - Existing elevations

Drawing No. PL/A397/102 - Proposed ground floor and roof plan

Drawing No. PL/A397/104 - Proposed elevations

As received 20 November 2018

Planning Statement, as received 20 November 2018

Letter from Samuel James 'Re: The Studio, 52 Gower Street, Reading, RG1 7PE', dated 20/07/18, as received 05/12/18

Letter from Sansome George 'Re: Proposed Extension / New Dwellings & Market Appraisal - 54 Gower Street, Reading, Berkshire, RG1 7PE', dated 12/07/18, as received 05/11/18

5. Relevant Planning History

891215 - Conversion of house into two flats. Refused 06/04/1989.

090847 - Certificate of lawfulness for existing use of property as 2 x one bedroom flats (one on the ground floor and one on the first floor). Granted 27/08/2009.

180721 - Part single and part two storey side and rear extension to provide one additional self-contained residential unit (Class C3) at ground floor level and alterations to the existing ground and first floor flats (amended description) REFUSED 3/10/2018

6. Equality Act 2010:

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

7. Relevant Planning Guidance

- i. 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. The Development Plan for Reading relevant to the application site comprises the Reading Local Development Framework 'Core Strategy' 2008 (Altered 2015) and 'Sites and Detailed Policies Document' 2012 (Altered 2015).

The 'National Planning Policy framework' ('NPPF') 2018 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy and Sites and Detailed Policies Document) according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the 'NPPF', the greater the weight that may be given). Accordingly, the 'NPPF' and the following development plan policies and supplementary planning guidance are relevant:

8. Relevant Policies

- i. The application has been assessed against the following policies:

National

National Planning Policy Framework 2018;

National Planning Policy Guidance;

RBC Local Development Framework

Core Strategy 2008 (Altered 2015)

CS1 Sustainable Construction and Design

CS2 Waste Minimisation

CS5 Inclusive Access

CS7 Design and the Public Realm

CS9 Infrastructure, Services, Resources and Amenities

CS14 Provision of Housing

CS15 Location, Accessibility, Density and Housing Mix

CS20 Implementation of The Reading Transport Strategy (Local Transport Plan 2006-2011)

CS24 Car/Cycle Parking

CS29 Provision of Open Space

CS34 Pollution and Water Resources

CS36 Biodiversity and Geology

Sites and Detailed Policies Document 2012 (Altered 2015)

- SD1 Presumption in Favour of Sustainable Development
- DM1 Adaption to Climate Change
- DM3 Infrastructure Planning
- DM4 Safeguarding Amenity
- DM6 Affordable Housing
- DM9 House Extensions and Ancillary accommodation
- DM10 Private and Communal Outdoor Space
- DM12 Access, Traffic and Highway-Related Matters
- DM17 Green Network
- DM19 Air Quality

RBC Supplementary Planning Documents

A Design Guide to House Extensions (2003)

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)

9. Appraisal

i. The main issues are considered to be:

- Principle of development
- Design and impact on the character of the surrounding area
- Amenity for future occupiers
- Amenity - impact on neighbouring occupiers
- Transport
- Affordable Housing
- Ecology
- Other matters - Sustainability, CIL

ii. Principle of development

The proposed development seeks to construct a side and rear extension which would facilitate the provision of one additional residential unit and modifications to the existing ground floor flat at the site. On this basis it is firstly clarified that this is not a conversion proposal and hence the conversion policy (CS18) and supporting SPD are not relevant in this instance. The principle of development, strictly in land use terms only, is welcomed as the provision of an additional residential unit accords with policy CS14 in relation to assisting the provision of additional residential units in the borough. Furthermore, when considering the alterations to the existing dwellings as well, the proposed mix and density of 3x1-bed units is considered appropriate in the context of this being a small site. Accordingly, the principle of development is accepted (in line with CS14 and CS15) and considered to be a benefit of the proposed scheme

iii. Design

It is acknowledged that the building has been divided into flats, but externally it has the appearance of a house and therefore policy DM9 and the SPD on House Extensions applies, in addition to Policy CS7. It is also acknowledged that the plot, being end-of-terrace, is irregular in shape and includes a splayed front entrance. Furthermore, it is a wider plot than the typical width of properties along this terrace. It is within this context that the proposals are largely considered.

The proposed side extension, despite being set back and set down to appear subordinate in itself (in line with SPD guidance), when viewed from the side would exacerbate the large blank façade to the side of the building, which is visible from the public realm. Furthermore, the extension follows the irregular boundary line at ground floor level resulting in this being a convoluted design which appears to have been advanced with the objective of maximising the internal accommodation rather than being a 'design-led' approach. A cramped layout would occur as a result of the proposal, contrasting unsympathetically with and resulting in harm to the existing pattern of development and to the character and appearance of the area. In simple terms the proposal therefore represents an overdevelopment of the site and is contrary to both Policies CS7 and DM9.

The rear elevation element of the proposal in the context of the existing site and neighbouring properties is not considered in itself to be objectionable from purely a design perspective.

iv. Amenity for future occupiers

A number of concerns are raised regarding the quality of accommodation proposed for the future occupiers of the proposed new unit at ground floor level. It is first noted that the applicant refers to this as a studio flat 37sqm in size. However, the floor plans do not indicate a studio (where one would normally expect a single open plan room without separate rooms - barring the toilet/shower) and instead appear to show a 1-bed flat, with separate bedroom, kitchen, ensuite. On the basis of the layout shown it has been considered on the basis of a 1-bed, 1 person unit. Concerns are raised in relation to:

- awkwardly shaped space - barring the bedroom to the rear the remainder of the space is narrow at 1.6m-2.2m in width (internal space), which is considered to significantly compromise the standard of accommodation for future occupiers, giving rise to a sense of enclosure and oppressive living environment.
- Barring the separate bedroom, the remainder of the space is served by a single rooflight one window facing onto the street, and a lightwell adjacent to the kitchen and front room - in this space this amounts to a lack of outlook and access to natural day/sunlight. Despite the inclusion of a lightwell from the previously refused application, it is not clear that this will result in sufficient access to daylight/sunlight in the proposed dwelling.
- Lack of outlook and access to natural day/sunlight from the bedroom. Although windows and doors are shown, the side elevation door is likely to be obscure glazed to prevent overlooking from occupiers of the other ground floor unit accessing the rear amenity space. For the rear window/doors, the proposed side flank elevation shows that land levels change significantly beyond the 'rear garden' area shown on the floor plan. Accordingly, there will be a highly constrained level of outlook and access to day/sunlight, while preventing unreasonable overlooking from the communal garden / cycle store area is unproven.

The above concerns, individually and cumulatively, result in the proposal causing a significantly detrimental living environment for future occupiers, contrary to DM4. This is particularly the case when this entire unit is created through proposed extensions and alterations to the building.

A number of other related concerns are also raised in terms of the size of the unit being the minimal recommended by the national space standards guidelines (exacerbated by the awkward

shape of the space) and unproven noise protection measures against the nearby rail line. However, these shortfalls are not considered significant enough to form part of the reason for refusal.

Concerns are also raised in relation to the proposals worsening the existing quality of accommodation for occupiers of the existing ground floor flat. A ground floor extension is proposed to abut the boundary of No. 50, which means the resultant living room is served solely by a single window, with outlook constrained by the extension and boundary with No. 50. A 1.5m wide x 1.5m long lightwell (curtailed by the 2.5m extension and boundary treatment to No. 50) is the sole source of day/sunlight, which is considered inadequate in itself and far worse than the existing context. Similarly, the kitchen would also be served by this lightwell. Although the kitchen also includes a door to the rear amenity space, in practice this is likely to be obscure glazed to prevent overlooking from the new ground floor unit and users of the communal rear amenity space. Accordingly, the proposals are also refused on the basis of having a significantly detrimental impact on the future occupiers of the remodelled ground floor unit.

v. Amenity - impact for neighbouring occupiers

In terms of the neighbouring/nearby occupiers, it is considered that No. 50 and the scrap metal yard at No. 54 are the two potentially impacted neighbours. Considering No. 50 first, the context will change on the boundary with the provision of a single storey extension at ground floor level at this point. It is noted that the proposed lightwell means the 2.8m long extension goes 4.3m beyond the original rear building line. However, the flat roof nature of the proposal (meaning the height is limited to 2.5m) and the lightwell being retained, together with the context of the neighbouring rear extensions, means the additional loss of amenity (as per the DM4 stipulations) would not be significant in any instance. Had the application been supported, a condition would have prevented the use of the flat roof created from being used as a terrace to prevent overlooking to No. 50.

In terms of the scrap metal yard, the single storey extension would abut the boundary with this land. However, the nature of the use at this neighbouring site is such that no Policy DM4 based concerns (which would be of a level to warrant a sustainable reason for refusal) are envisaged.

Therefore, in respect of the impact of the proposals on neighbouring occupiers it is considered that the proposals comply with policy DM4.

vi. Transport

As per the transport observations above, there are no transport based concerns with the proposals. Had the proposals been able to be supported at officer level a number of conditions would have been required to be secured.

vii. Affordable housing

The Ministerial Statement of November 2014 and consequent changes in the Revised NPPF and to the NPPG, sought to exempt sites of 10 or less houses (i.e. major sites) from the provision of affordable housing or the payment of tariff type section 106 contributions. That directly affected the Council's affordable housing policies revisions which were examined and found sound at the end of 2014. Policy DM6, which covers proposals for 1-14 dwellings, was directly affected by the Ministerial Statement.

The Council's affordable housing policies are crucial in seeking to assist the Council in meeting the requirements of the NPPF (and the Revised NPPF) which state that: "local planning authorities should...use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework,...."

The provision of affordable housing is a major issue in the borough. The borough experiences high levels of need as evidenced by a recent Strategic Housing Market Assessment and other indicators, its residents face major issues relating to affordability as a result of high and increasing house prices compared to average local incomes and significant issues in the future supply of affordable housing to meet identified needs.

There are now 24 appeal decisions that support the Council's case, including one subsequent to the NPPF 2018.

The local circumstances related to the need for and provision of affordable housing within Reading Borough are extremely challenging. The level of need for affordable housing is very high as evidenced by a comparison of the OAN identified in the Berkshire SHMA and the HMA's for adjoining and nearby authorities. Reading also faces significant pressures in terms of the levels of homelessness and numbers on the housing waiting list. The area suffers high house prices, a high house price / earnings ratio and high rents, which mean that large numbers of households cannot and will not be able to afford market housing in the Borough. The various appeal decisions found the Council's case compelling and persuasive, justifying the Council in securing of a contribution towards affordable housing as an exception to national policy, including the 2018 version of the NPPF.

Those conditions exist in several other authorities in the South-East. However, Reading also faces huge challenges in providing any supply of affordable housing. Its urban nature, its very tight boundaries and the almost complete absence of greenfield sites means that there are no easy sites where policy compliant provision of affordable housing can be achieved. The consequent issues of cost of development and the high use values of such sites severely affects viability and thus suppresses the amounts of affordable housing that can be achieved from large sites. Changing government policy, which has particular implications for urban areas such as Reading is reducing, and will further reduce, the ability of the Council to achieve affordable housing from new development. Reading Borough Council also has its own severe limitations in making any direct provision of affordable housing in the face of very severe and high budgetary pressures.

The achievement of affordable housing from small sites is making a significant contribution to the provision of affordable housing in the face of exceptional need and supply issues. As evidenced by the numerous recent planning appeal decisions, the Council believes that local circumstances justify its continued operation of policies seeking the provision of affordable housing on sites of 10 or less dwellings as an exception to national policy.

With the above in mind, the applicant has in this instance submitted two valuations from local agents regarding the future sales value of the new unit proposed, with view to a 5% of GDV financial contribution being secured in line with Policy DM6 and the Affordable Housing SPD. Based on an average of the valuations provided, a financial contribution of £5,437.50 (average value of £108,750x 0.05) is required. Had the proposals been able to be supported, this would have been secured in full via s106 legal agreement. On the basis of the proposal being resisted on other grounds, this forms a further reason for refusal by default. It has been explained to the applicant that notwithstanding the applicant's willingness to enter into the s106, without it being included as a reason for refusal it would mean the LPA would not be able to seek it should the applicant appeal the decision and any appeal is allowed. An informative would however specify on the decision notice that "without prejudice to any future application or appeal, the applicant is advised that this reason for refusal could be overcome by entering into a Section 106 Legal Agreement or unilateral undertaking for a scheme that was in all other respects acceptable". Therefore, this reason is effectively by default of the overall refusal.

It is considered by the Council that this contribution via s106 would have satisfied the CIL Regulations in that it would be:

- (a) Necessary to make development acceptable in planning terms.
- (b) Directly related to the development.
- (c) Fairly and reasonably related in scale and kind to the development.

- viii. Ecology
Although the site is within a green corridor, as per the ecology observations above, there are no ecology based concerns with the proposals.
- ix. Other matters - Sustainability / CIL

Sustainability - The submission does not include any commentary regarding sustainability, conflicting with policies CS1 and DM1. However, it is considered that this could have been secured via condition in the event of planning permission being able to be granted (statement detailing the measures to be implemented to accord with these policies). Accordingly, this will not form a reason for refusal of the application.

CIL - Had the proposals been able to be supported, at least the floorspace involved with the new residential unit created would have been CIL liable. An informative will indicate this on the decision notice.

10. Conclusion

- i. It is evident from the appraisal that there are some planning merits (e.g. the principle of an additional unit) and some conflicts. When applying a critical planning balance it is considered that these harmful impacts, as identified in the appraisal above, outweigh any benefits of the proposal.
- ii. Therefore, having regard to the material considerations and all matters raised, the Local Planning Authority considers that the balance of considerations weigh against the granting of planning permission. Accordingly, planning permission is recommended to be refused on design, amenity and lack of s106 (for affordable housing) grounds.

Recommendation

Refuse Planning Permission

Reasons for refusal:

1. The proposed development, by reason of its convoluted design would create cramped layout which would contrast unsympathetically with, and result in harm to the existing pattern of development and to the character and appearance of the area. The proposal therefore represents an overdevelopment of the site, contrary to Policy CS7 (Design and the Public Realm) of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM9 (House Extensions and Ancillary Accommodation) of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

2. The proposed development, by reason of its internal layout and reconfiguration, would cause a significant detrimental impact to the living environment of current/future occupiers of the existing ground floor flat and future occupiers of the newly created ground floor flat, contrary to Policy DM4 (Safeguarding Amenity) of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

3. In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough, contrary to policy CS9 (Infrastructure, Services, Resources and Amenities) of the Reading Borough LDF Core Strategy 2008 (Altered 2015), policies DM3 (Infrastructure Planning) and DM6 (Affordable Housing) of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015), and the Council's Adopted Affordable Housing Supplementary Planning Document 2013.

Informatives:

1. The decision relates to the following drawings and documents:

Drawing No. PL/A397/105 - Location and site plan

Drawing No. PL/A397/101 - Existing ground and first floor plans

Drawing No. PL/A397/103 - Existing elevations

Drawing No. PL/A397/102 - Proposed ground floor and roof plan

Drawing No. PL/A397/104 - Proposed elevations

As received 20 November 2018

Planning Statement, as received 20 November 2018

Letter from Samuel James 'Re: The Studio, 52 Gower Street, Reading, RG1 7PE', dated 20/07/18, as received 05/12/18

Letter from Sansome George 'Re: Proposed Extension / New Dwellings & Market Appraisal - 54 Gower Street, Reading, Berkshire, RG1 7PE', dated 12/07/18, as received 05/11/18

2. The local planning authority has worked with the applicant in a positive and proactive way by clearly setting out concerns relating to the proposal and providing an opportunity for the applicant to withdraw the application. However, the applicant chose not to withdraw the application, hence the issuing of this refusal notice.

3. Without prejudice to any future application or appeal, the applicant is advised that reason for refusal 3 could be overcome by entering into a Section 106 Legal Agreement or unilateral undertaking for a scheme that was in all other respects acceptable.

4. The applicant is advised that the refused scheme, had it been able to be approved, would have been a CIL (Community Infrastructure Levy) liable development.