

DELEGATED APPLICATION REPORT - Application No: 180067/FUL

Address: 2A Randolph Road Reading

Proposal: Change of use of ground and first floor to 3 no. C3 use residential flats (1 x 2 bed, 1 X 1 bed and 1 x studio flat) including a part two/part single storey side extension

Case officer: Matt Burns

Site Description and Surrounding Area:

The application relates to two storey mono-pitch roof building attached to the end of a terraced row of properties on the north side of Randolph Road. The building was most recently in use as an A1 sign shop. Permission was granted in (150279) for change of use of the ground floor to retail but has not been implemented. A certificate of lawfulness of existing use (150280) for use of the first floor only as a residential dwelling was refused on the basis that insufficient evidence was submitted as part of the application to demonstrate that, on the balance of probability, the first floor has been continually occupied as a residential dwelling for a period of four years.

The building is contrasting in appearance to the predominantly pitched roof terraced dwellings on this side of Randolph Road. Opposite the site are the number of the detached garage buildings and also a pub on the corner with Caversham Road. The site is located outside of the designated Reading Centre (Reading Central Area Action Plan 2009) (boundary to the east), but within flood zone 2 and an air quality management area.

Proposal: The application seeks planning permission for change of use of ground and first floor to 3 no. C3 use residential flats (1 x 2 bed, 1 X 1 bed and 1 x studio flat) including a part two/part single storey side extension.

Amended plans have been submitted during the course of the application which have removed an existing first floor rear door and replaced this with a window (preventing access to the large rear ground floor projection). The bike store area for the ground floor front flat has also been relocated away from the ground floor front window to under the proposed new side stair extension.

Plans Considered:

Drawing ref.:

AG13589/410 rev K - Proposed Floor Plans

AG13589/301 rev K- Proposed Elevations and Block Plan

Received by the Local Planning Authority on 29th March 2018

AG13589/310 rev C - Existing Floor Plans

AG13589/300 rev G - Existing Elevations and Location Plan

Received by the Local Planning Authority on 18th January 2018

Relevant Planning History:

150280 - Certificate of Lawfulness for existing use of first floor as a residential dwelling - Refused.

150279 - Change of use of the ground floor retail unit/warehouse to a cafe (A3 use) - Granted.

Consultation Responses:

Environmental Protection: Recommend conditions regarding contaminated land monitoring, implementation of noise mitigation measures and requirement for an air quality assessment/mitigation scheme.

Transport: Recommend conditions regarding, bike/bin storage, stopping up of existing vehicular access and restriction on access to parking permits for future occupiers of the flats.

Properties at no. 217, 219, 221, 223, 225A, 225 and 227 Caversham Road, 2 and 2B Randolph Road and Snax24 Richfield Avenue were notified of the planning application by letter. One letter of comment has been received raising the following issues:

- Loss of privacy if residents of the first floor flat utilise the existing first floor rear door access to the large rear single storey flat roof.

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.

Relevant Planning Policy and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. However the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

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

Reading Borough LDF Core Strategy (Adopted January 2008) (Altered 2015)

- CS1 Sustainable Construction and Design
- CS5 Inclusive Access
- CS7 Design and the Public Realm
- 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
CS34 Pollution and Water Resources
CS35 Flood Risk

Sites and Detailed Policies Document - (Adopted October 2012) (Altered 2015)

SD1 Presumption in Favour of Sustainable Development
DM1 Adaption to Climate Change
DM4 Safeguarding Amenity
DM6 Affordable Housing
DM10 Private and Communal Outdoor Space
DM12 Access, Traffic and Highway-Related Matters
DM19 Air Quality

Supplementary Planning Documents

Revised Parking Standards and Design SPD (2011)
Sustainable Design and Construction SPD (2011)

Appraisal

Principle of use

The National Planning Policy Framework (2012) encourages the effective use of land by reusing land that has been previously developed (brownfield land) and seeks that all housing applications should be considered in the context of the presumption in favour of sustainable development. There would be no in principle objection to the loss of retail unit in this location, whilst permission was recently granted for change of use of the ground floor to A3 but this has not been implemented.

Design and Character

Policy CS7 seeks to preserve or enhance the character of the area in which a development is located.

The proposal seeks to retain the shell of the existing building. Whilst it is respectfully considered that the building does not enhance the character of the street-scene it is an existing structure that will remain. The main proposed alteration is the additional of a small two storey side extension (1m in width and 5m in depth). The side extension has a modest 0.2m set back from the existing front elevation and would incorporate a lean to mono pitch roof reflecting that of the host building with materials to match also. The proposed extension is considered to integrate satisfactorily with the host dwelling and street-scene and due to its modest width would retain sufficient separation to the rear of no. 217 Caversham Road and would not appear cramped within the site.

The proposal also seeks to remove the existing front external stairs from ground to first floor and replace this with a small single door width glazed juliet style balcony. Whilst the window proportions at ground floor are to be reduced and a ground floor front entrance door is also proposed. These alterations are considered to enhance the appearance of the

building within the street-scene and result in a more 'residential' appearance to the property.

The proposal is considered to accord with Policy CS7.

The constrained nature of the site which is largely taken up by the existing building is such that there is very limited scope to provide any amenity space, either communal or private. It is proposed that the rear ground floor two bedroom flat would have access to very narrow and long 'garden area' to the side of the property and the ground floor front flat would have access to the small 'courtyard' area to the front of the property. The first floor flat would have no access to amenity space. Whilst the small size, irregular shape and location of these areas are such that they are unlikely to be truly usable as amenity spaces the site is located just outside the Reading Central Area with good access to public amenities, it is considered that the limited amenity space proposed would not be unacceptable or uncommon for flatted development close to Reading Centre and would accord with Policy DM10.

Amenity of surrounding occupiers

Policies DM4 seeks to protect the amenity of surrounding occupiers from the impacts of new development.

The closest affected property would be no. 217 Caversham Road of which the rear elevation would face the side of the proposed two storey side extension at a distance of 8m. Given the modest nature of the host building which has a roof height of 5m at the point closest to the rear of no. 217 together with the very modest width (1m) and subservient nature of the proposed extension it is not considered that the proposal would result in any material additional impact in terms of day lighting or overbearing impact to the rear window and yard area of no. 217.

There is not considered to be any harmful impact to other surrounding properties in terms of loss of light or overbearing given the siting and modest nature of the proposal.

As part of the conversion to residential use the proposal seeks to remove existing first floor level side facing windows which face the rear of no. 217 which would prevent any direct overlooking to this neighbouring property. A first floor rear window is proposed to the two storey internal stair extension whilst the existing first floor rear window closest to the boundary with no. 217 is proposed to serve a bathroom such that it is not considered reasonable to require these windows to be obscurely glazed and fixed (up to 1.7m in height from internal floor level) in order to prevent any undue overlooking or loss of privacy to no. 217.

Amended plans have been submitted which have removed an existing first floor rear door which would have allowed the first floor flat to have access to the flat roof of the large single storey rear extension. Access to this flat roof would have resulted in clear and unacceptable overlooking to adjacent and surrounding properties. Restriction of use of this area as a terrace or balcony can also be secured by way of a suitably worded condition. It is considered that this addresses the concern raised via the neighbour representation received.

The proposal is considered to accord with Policy DM4.

Amenity of Future Occupiers

Policy DM4 seeks to protect the amenity of future occupiers of development whilst Policy CS34 seeks to minimise the impact of pollution on proposed developments.

Each of the flats proposed is considered to be of a suitable size with acceptable outlook and daylighting. Amended plans have been submitted which have relocated a bike store away from the single large front window to the ground floor studio flat to prevent on obscuring of outlook and daylighting to this unit.

The proposal is considered to accord with Policy DM4.

A noise assessment and mitigation scheme has been submitted as part of the application. Environmental Protection Officers are satisfied that the mitigation measures proposed (glazing specification) would result in acceptable noise levels within the flats. Implementation of this can be secured by way of a suitably worded condition in accordance with Policy CS34.

The site is located within an air quality management area and close to the busy Caversham Road. Therefore, a scheme of air quality mitigation is required to demonstrate that future occupiers would not be subject to unacceptable levels of air quality. This can be secured by way of suitably worded condition in accordance with Policies CS34 and DM18.

Planning history shows the property was once in use a print shop where inks may have been disposed of on site. As such a monitoring condition is recommended to ensure that in the event that contamination is found at any time when carrying out the approved development, it must be halted on that part of the site and it must be reported in writing to the Local Planning Authority. Following that, an assessment of the nature and extent of contamination must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority (Policy CS34).

Unit Mix

The number of units proposed is small and the proposed mix, incorporating a single 2 bedroom (family) unit of accommodation is considered acceptable and to accord with Policy CS15 which seeks to provide a range of accommodation types.

Transport

The site is located within the Zone 2, the primary core area but on the periphery of the central core area which lies at the heart of Reading Borough, consisting primarily of retail and commercial office developments with good transport hubs.

In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide a parking provision of 1 space per 1-2 bedroom therefore requiring 3 on-site parking spaces for the development. In addition to this the proposed change to C3 (Ground Floor) would require less on-site parking than that required for the existing use.

The Design and Access document states that there is currently no on site car parking to the unit and the application does not propose any alterations to the access or car parking arrangements. As such the proposal will be a car free development, which would be deemed acceptable given the sites close proximity to the town centre and access to Reading Station.

Whilst the site is accessible to good public transport links and local shops, the parking demand created by this development should not be accommodated on the surrounding roads where there is significant demand for on-street parking. The site is located within an area designated as a Residents Parking Permit Area Zone 03R. Therefore parking conditions and informative would be applied to prevent any future occupants of the flats from obtaining residents or visitor parking permits for the surrounding residential streets where parking is under considerable pressure.

However, the site is currently served by a dropped kerb on to an area of hard standing, as no on-site parking is proposed; the kerb will need to be reinstated. A license will be required to undertake this work and will be covered by an appropriate condition and informative.

In accordance with the Borough's Parking Standards and Design SPD, a minimum provision 0.5 cycle storage spaces should be provided per unit. The submitted plans indicate cycle storage units for 3, however details of the type of units have not been provided which can be secured by way of suitably worded condition.

Bin storage areas for the proposed 3 flats have also been shown located at the front of the site adjacent to the storage units for the cycles at an acceptable distance from the road.

The proposal is considered to accord with Policies CS24 and DM12.

Flood Risk

Policy CS35 seeks to prevent development which would increase the risk of flooding.

The site is located within flood zone 2. A flood risk assessment has been submitted as part of the application. Environment Agency standing advice for developments with a flood risk classification of 'more vulnerable' such as residential in flood zone 2 is that ground floor level should be either 300mm above the general ground level of the site or 600mm above the estimated river or sea flood level.

The flood risk assessment indicates that the existing ground floor level of the site is 38.50m AOD, with the road level at the front of the property of approximately 38.4m AOD whilst the 1 in 100 plus climate change flood level is identified as 38.23m AOD. At 38.5m

AOD the floor levels would be above the ground level and flood level but not by the recommended level.

The proposal is for conversion of an existing property and the Environment Agency standing advice states that where floor levels cannot be raised extra flood resilience resistance measure should be provided. The flood risk assessment states that such extra measure will be provided in this instance.

Surface water management would remain as is for the existing building and given no part of the ground floor would be set below the flood level of the site access and evacuation details are not required in this particular instance.

Subject to securing implementation of the submitted flood risk assessment by way of a suitably worded condition the proposal is considered to accord with Policy CS35.

Sustainability

Policy CS1 of the Core Strategy, supported by the Council's Sustainable Design and Construction SPD seeks the proposal, as a 'creation of new residential units through Conversion', to comply with BREEAM Level of 'Very Good'. It is considered acceptable to deal with this matter by way of a suitably worded condition.

Affordable Housing

West Berkshire District Council and Reading Borough Council applied for a judicial review of the Secretary of State's Written Ministerial Statement (WMS) to Parliament in 2014 on changes to national planning policy. Those changes sought to exempt developments of 10 or less dwellings from planning obligations for affordable housing and social infrastructure contributions and to introduce a new measure known as the Vacant Building Credit.

The High Court handed down its judgment on the case on 31st July 2015. The High Court found in favour of the challenge by the local authorities and quashed the amendments to the NPPG. The Secretary of State appealed the judgment and the Court of Appeal then quashed the decision of the High Court.

At its meeting of the Strategic Environment Planning and Transport Committee on 13th July 2016, the Council discussed the outcome of the Court of Appeal's decision on its challenge (http://www.reading.gov.uk/media/5651/Item09-SEPT-C-Report-on-C-of-Appeal-judgement-05-16/pdf/Item09_SEPT_C_Report_on_C_of_Appeal_judgement_05_16.pdf).

Having considered its options, the Committee agreed the following as the basis for determining planning applications where Policy DM6 of the SDPD is relevant:

To implement Policy DM6 as currently adopted in the SDPD but excluding proposals that solely involve the conversion of an existing property, where the conversion involves the provision of 10 or less dwelling units (i.e. not HMOs), or the replacement of dwellings by the same number of replacement dwellings where there is no net increase.

The proposal relates to the conversion of an existing property with only a very modest extension and Policy DM6 is not considered to apply in this instance.

Community Infrastructure Levy

The extension element of the proposal would be liable for CIL. This new floor space would be levied at a rate of £120/sqm (subject to indexation).

RECOMMENDATION:

GRANT Planning Permission, subject to conditions:

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission was granted.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing ref.:

AG13589/410 rev K - Proposed Floor Plans

AG13589/301 rev K- Proposed Elevations and Block Plan

Received by the Local Planning Authority on 29th March 2018

AG13589/310 rev C - Existing Floor Plans

AG13589/300 rev G - Existing Elevations and Location Plan

Received by the Local Planning Authority on 18th January 2018

Reason: because permission is granted in respect of the development as detailed in the approved plans only.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

Reason: in the interests of ensuring that the new development appears in keeping with the existing building in accordance with Policy CS7.

4. 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. 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. 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.

5. No dwelling/building shall be occupied until the bin storage facility, as shown on approved plan ref. AG13589/410 rev K - Proposed Floor Plans received by the Local Planning Authority on 29th March 2018, 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.

6. No dwelling hereby permitted shall be occupied until the existing vehicular access to the site has been stopped up and abandoned. 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.

7. 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.

8. 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.

9. In the event that contamination is found at any time when carrying out the approved development not previously identified, development must be halted on that part of the site and it must be reported in writing to the Local Planning Authority.

Following that, an assessment of the nature and extent of contamination must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas Policy CS34.

10. No development shall take place until a detailed scheme demonstrating sufficient mitigation to protect the occupants of the new dwellings hereby approved from poor air quality has been submitted to and been approved in writing by the Local Planning Authority. The scheme shall be implemented as approved prior to occupation of any part of the development and retained as approved at all times thereafter.

Reason: to protect the health of future occupants of the proposed development in accordance with Policy DM19.

11. The development hereby permitted shall not be carried out other than in accordance with the glazing and ventilation specifications recommended within the acoustic assessment submitted with the application by Acoustic Consultants Limited Ref 6772/CG/PP dated July 2017 and received by the Local Planning Authority on 16th January 2018.

Reason: to protect the amenity of future occupants of the proposed development in accordance with Policy CS34.

12. The hours of noisy construction, demolition and associated deliveries shall be restricted to the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior approval from the Local Planning Authority.

Reason: In the interests of the amenities of nearby residents in accordance with Policy CS34.

13. No materials or green waste produced as a result of demolition works or construction works associated with the development hereby approved shall be burnt on site.

Reason: In the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management in accordance with Policies CS2 and CS34.

14. Prior to the first occupation of any residential unit hereby approved, a final BREEAM Domestic Refurbishment certificate shall be submitted to and approved, in writing, by the Local Planning Authority, demonstrating that the dwellings achieve at least a 'Very Good' rating.

Reason: To ensure that the development is carried out in accordance with sustainable building standards, in accordance with Core Strategy Policy CS1 and the Sustainable Design and Construction SPD, adopted July 2011.

15. The roof area to the existing single storey rear projection shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy DM4.

16. The development hereby permitted shall not be carried out other than in accordance with the flood mitigation measures set out in the Agrarian Flood Risk Assessment ref. Ag113589/fra/01 dated January 2018 and received by the local planning authority on 30th January 2018.

Reason: To prevent increased flood risk in accordance with Policy CS35 of the Reading Borough LDF Core Strategy 2008 (altered 2015).

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed first floor rear stair window to the two storey side extension hereby permitted and the first floor rear bathroom window to flat no. 3 shall be *non-opening and glazed with obscure glass* on parts below 1.7m as a minimum when measured from the floor level of the respective rooms, before occupation of that room, and shall be permanently maintained thereafter as non-opening and obscure glazed.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy DM4.

Informatives:

1. 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.
2. 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.
3. These works will require separate approval under the Building Regulations. Please contact the Council's Building Control service for further advice on (0118) 937 2449.
4. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but differs materially from the approved plans and details, or does not comply with any condition (s) or planning obligation (s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the council.
5. The determination of this planning application required officers to work positively and proactively to provide a recommendation for approval to be made within the agreed extended timescale for a decision.
6. The Council introduced the Community Infrastructure Levy (CIL) on 1st April 2015. CIL is a way of securing financial contributions towards infrastructure from new development, and partially replaces the Section 106 planning obligation regime. It is a set charge per sq. m of floor space for different uses, and, unlike Section 106, it is non-negotiable. It applies to developments which result in at least one dwelling; where the space has not been in lawful use for 6 months within the last 3 years or 100 sq. m of new floors pace. This approved development is CIL liable. You will be sent a CIL Liability Notice with the calculated amount soon. CIL becomes payable on commencement of the development or by instalments.

For more information go to:

http://www.reading.gov.uk/media/2791/Community-Infrastructure-Levy-Advice-to-Applicants/pdf/CIL_Advice_to_Applicants.pdf