

DELEGATED HOUSEHOLDER APPLICATION REPORT

Ward: Park

App Ref: 171014/FUL

Address: 28 Wokingham Road, Reading, RG6 1JQ

Proposals: Construction of 9 dwellings (flats) for multiple occupation, accommodating 27 bedrooms with associated 7 parking spaces, bicycle store, motorbike store and bin stores with bins collection point and landscaping. Demolition of existing former petrol station building with canopy.

Case Officer: Steve Vigar

Applicant: Mr & Mrs Parmod & Vinod Sharma

Date received (valid from): 14 July 2017

Target Decision date: 29 September 2017

1. INTRODUCTION

The site is located adjoining the northern boundary of the South Park Conservation Area and has been used for vehicle sales and, more recently, for car washing. Reading Cemetery, a historic registered park/garden, is located opposite the site. The cemetery arch and a number of memorials are statutorily listed. The surrounding area comprises a mixture of residential and commercial uses.

2. PROPOSAL AND SUPPORTING INFORMATION

Construction of 9 dwellings (flats) for multiple occupation (Class C4), accommodating 27 bedrooms with associated 7 parking spaces, bicycle store, motorbike store and bin stores with bins collection point and landscaping. Demolition of existing former petrol station building with canopy.

3. RELEVANT PLANNING HISTORY

- 91-00808-FUL (910293). Change of use from filling station to use of; hiring of vehicles display of vehicles for sale and associated maintenance. Granted.
- 92-00074-FUL. Construction of maintenance workshop, internal alterations to existing offices and alterations to site accesses. Granted.
- 131007. Change of use from a car washing facility to 8 flats (2 x 1 bed and 6 x 2 bed). Withdrawn.
- 150325 Erection of seven new flats: 4 x 2 bed flats and 3 x 1 bed flats. Approved
- 160994 Construction of 5 dwellings (flats) and 5 student housing units accommodating 20 student units with associated 6 parking spaces, cycle and bin storage and landscaping. Demolition of an existing former petrol station building and canopy. Withdrawn

4. CONSULTATIONS

RBC Transport

No objection:

The proposals are for 9 flats (3x2bed, 2x2bed & 4x4bed), accommodating 27 single occupancy bedrooms with associated communal rooms. The Council's Supplementary Planning Document: *Revised Parking Standards and Design* (SPD) requires 0.25 parking spaces per bedroom for Houses in Multiple Occupation or 1 space per flat (1.5 spaces per 3+bedroom flat). The Design and

Access Statement indicates that the development is for nine residential units for multiple occupation.

Transport would not support a development that is likely to intensify the existing parking pressures in the area. The development would result in a shortfall of parking if the flats were let or sold as conventional flats rather than HMO rooms. Therefore the development would only be considered to be acceptable if a condition were to be applied to ensure the development falls under C4 Use Class.

On matters of detail, the residential parking is to be provided at the rear of the site and under the building. The parking spaces are provided to the required dimension and swept path analysis diagrams have been submitted to demonstrate that vehicles can access spaces 3 and 4 if spaces 5-7 are fully occupied.

The applicant has confirmed that the access is slightly further back from the junction with Wokingham Road than the current situation (770mm approximately). The existing dropped kerb vehicular crossing located on the Wokingham Road will be reduced in width.

In accordance with the Council's Revised Parking Standards and Design SPD, the development would be required to provide 0.5 cycle parking space 1-2 bed flats and 1 cycle parking space per 3+bed flats. The layout can be covered by condition.

Refuse storage is located within two locations within the site. Bin collection points are located within 10m of the Public Highway. However Transport are concerned that the bin collection point on Hamilton Road will obstruct the access into the rear parking area or the parking spaces unless the bins are placed out and returned in a regimented order. Given that refuse operatives are unlikely to spend time ensuring that this occurs, it is considered that the bin point should be relocated. The applicant has confirmed that they will move more of the bins over to the location close to 26 Wokingham Road to ease overcrowding at the entrance to the parking area. However, Transport are willing to deal with the specific details by condition.

In the circumstances, there are no further transport objections subject to appropriate conditions being applied.

RBC Natural Environment - Trees

The site is a corner plot, prominently located adjacent to Wokingham Road and the junction with Hamilton Road. The site is also adjacent to the South Park Conservation Area and St Bartholomew's Cemetery which is classified as an area of high treescape value. Wokingham Road is also identified 'Treed corridor' being one of the principle roads into the town. Reading Borough Council seeks to enhance tree cover along these routes particularly through positive planning and design decisions.

Discussions for the previous application (150325) negotiated improved provision of landscaping on the site, in particular tree planting on the frontage. The increased scale and frontage of this application from that which was previously permitted raises the importance of quality areas of soft landscaping within the site. Space at the front and rear of the property should be provided for medium sized trees to reach maturity without coming into direct contact with the property as they grow.

Prior to a decision, the applicant should provide a landscape plan and confirm the ability to plant trees on the frontage. Without these, the proposal is not acceptable as it is contrary to Policy DM18 and RBC's Tree Strategy; the applicant not having demonstrated otherwise.

RBC Ecologist

No objection subject to conditions securing wildlife-friendly landscaping and biodiversity enhancements (to include 3 Swift bricks).

RBC Leisure Service

This is a high density development with insufficient open space on site for the occupants. The outdoor area around the building described in the DAS is 337sqm but this is misleading as it includes five of the allocated parking spaces and footpaths within the grassed permeable paving. Given the lack of quality amenity space on site, it is anticipated that the residents will make use of the recreational/sporting facilities at nearby Palmer Park. Whilst Reading Old Cemetery is opposite the proposed development, it may not be an attractive form of amenity space for future occupiers.

Thames Water

The developer will need to approach TW for a pre-development enquiry.

www.developers.thameswater.co.uk/developing-a-large-site/planning-your-development/wastewater.

TW sewer records do not indicate any shared drainage within the site, but there may be newly transferred sewers that TW has not yet mapped and is not aware of.

If the site owner finds shared drainage, the sewers may need to be diverted, as TW does not allow new builds over public sewers. They will need to submit their pre-development application to us and then discuss any potential diversions with the engineer dealing with their application.

Neighbours

The following addresses were consulted by letter.

Unit2, 24 Wokingham Road, READING, Berkshire, RG6 1JQ
21 Hamilton Road, Reading, RG1 5RA
22A Wokingham Road, Reading, RG6 1JQ
26 Wokingham Road, Reading, Berkshire, RG6 1JQ
29a Hamilton Road, Reading, RG1 5RA
9 Hamilton Road, Reading, Berkshire, RG1 5RA
23 Hamilton Road, Reading, Berkshire, RG1 5RA
22 Wokingham Road, Reading, Berkshire, RG6 1JQ
35 Hamilton Road, Reading, Berkshire, RG1 5RA
74 Hamilton Road, Reading, RG1 5RD

Two site notices were displayed. One on the Wokingham Road frontage and the other on the Hamilton Road frontage.

17 letters of representation have been received as follows:

- The type of accommodation will attract short term residents which will take away from the local community than add to it.
- The two and three storey building will close off the current open landscape at the entrance to Hamilton Road and will introduce a claustrophobic feeling to the already congested area.
- The proposed building is not in keeping with existing buildings in the conservation area.
- Number of bins insufficient.
- Insufficient parking in already congested area. Parking problems already exist in Hamilton Road and Eastern Avenue.
- Obscured glass does not prevent overlooking when windows are open - loss of privacy to Eastern Avenue.

- Proposed treatment of rear boundary not clear.
- 2 houses would be more in keeping.
- The density of HMOs at this end of Hamilton Rd is already high - there is no justification for adding another one.
- The parking area planned at the back of the plot (accessed from Hamilton Road, will be a magnet to anti-social behaviour ie sale of drugs etc. due to its secluded nature and especially if habited by students who are away during the summer months. This is a growing issue that needs addressing.
- Harm to outlook from side facing and front bay window of 2 Hamilton Road.
- Lack of outdoor amenity space.
- Dangerous access as close to junction.
- There are already several HMO within 50 metres of the proposal. This is undoubtedly an HMO, consisting of bedsits with shared kitchens.
- There is no diversity or variety of accommodation. The upper floors do not seem accessible by wheelchair users.
- The plans show a small bike shed. I would expect a property, on a bus and cycle lane into town should accommodate at least 20, preferably 27, and the secure racks should be approved by cycle organisations, well in excess of the rather dated planning policy.
- The parking spaces will be small and difficult to manoeuvre in and out, so increasing the tendency of the occupants to park on the Road, which is noticeably narrower than surrounding roads, and makes passage near a busy junction difficult. Unless there is a management regime, the access will also be impeded by wheelie bins every week.
- The road has also had a history of floods, both storm and foul water. A few feet of the Victorian sewers were rebuilt further south on Hamilton Road, but the increased occupation will increase the frequency of back-up. There is often storm water flooding in the autumn, exacerbated by leaves, and this is likely to crease in the future unless large scale drain improvements are carried out.
- The rear windows have obscured glass to maintain privacy of No 2 Hamilton Road, but the elevations and plans are inconsistent, having them on the east and west on the southern side.
- The bedsits seem extremely small, and it is not clear if there is room for a bed, desk and chair and comfortable chair. It is not clear that the community areas have enough room for dining table, chairs and settees for the occupants, who may be wheelchair users. There is no diversity in the accommodation offered, like in previous applications.

5. LEGAL AND PLANNING POLICY CONTEXT

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'.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The following local and national planning policy and guidance is relevant to this application:

National

National Planning Policy Framework

National Planning Practice Guidance

Reading Borough Local Development Framework Core Strategy (2008)

CS4 (Accessibility and the Intensity of Development)

CS7 (Design and the Public Realm)

CS15 (Location, Accessibility, Density and Housing Mix)

CS16 (Affordable Housing)

CS24 (Car/Cycle Parking)

CS33 (Protection and Enhancement of the Historic Environment)

CS34 (Pollution and Water Resources)

CS36 (Biodiversity and Geology)

Sites and Detailed Policies Document (2012)

SD1 (Presumption in Favour of Sustainable Development)

DM4 (Safeguarding Amenity)

DM6 (Affordable Housing)

DM10 (Private and Communal Outdoor Space)

DM12 (Access, Traffic and Highway Related Matters)

DM19 (Air Quality)

SPG/SPD

- Planning Obligations under Section 106
- Affordable Housing SPD
- Parking Standards and Design (Supplementary Planning Document).
- Residential Conversions SPD (2013)

Other

South Park Conservation Area Appraisal

Reading Borough Tree Strategy 2010

RBC document: "Waste Management Guidelines for Property Developers, Architects, Planners and Contractors"

6. APPRAISAL

Character

The site immediately adjoins the South Park Conservation Area. Compared to the approved scheme (150325) the proposal now extends close to 2 Hamilton Road and also extends significantly forward of 2 Hamilton Road. It has also increased significantly in height and massing across the whole width of the site. 2 Hamilton Road is considered to be a characterful building which contributes to the character and appearance of the conservation area. The building has an attractive and somewhat spacious frontage and it is considered reasonable to expect any adjacent development to respect and retain this spacious quality.

It is considered that the proposal would result in a building of overly dominant mass and built form within particularly close proximity of 2 Hamilton Road. This unsympathetic arrangement would be substantially worsened by the position of the proposed building well-forward of this neighbouring building and would result in an incongruous, jarring and obtrusive feature. This would be harmful to the character and appearance of the street scene and because of the close and visually prominent relationship between the site and conservation area, would also be harmful to the setting of the adjacent South Park Conservation Area.

Page 6 of the applicant's statement (5 September) seeks to justify the forward position of the proposed building suggesting that there is not a strongly-defined building line to Hamilton Road. It is acknowledged that 2 and 2A Hamilton Road are on a different alignment to that of the terrace formed by numbers 4-24 Hamilton Road, however 2 Hamilton Road is a distinctive and prominent building and the immediate neighbour to the site. The relationship to 2 Hamilton Road should be the primary concern, especially considering that it is now proposed to build very close to it.

The proposal is contrary to Policies CS7 and CS33 on this basis.

The applicant suggests, in accordance with the South Park Conservation Area Appraisal, that there is an opportunity to repair the fractured fabric of the Wokingham Road streetscene. Whilst this may be the case in general terms, this does not justify the current proposal to any great extent. It is agreed that the petrol station site could be improved with a suitable building, indeed one has been approved under permission 150325.

It is therefore considered that the current proposal would appear overly dominant within its context, would disrupt views into and out of the conservation area and appear as an overdevelopment of the site. The proposal would therefore fail to preserve the character and appearance of the conservation area and its setting. As a guide it is considered that the approved scheme 150325 is at the limits of what might be acceptable in terms of scale.

The detailing of the proposal is also a concern. The lack space for soft landscaping (including tree planting), and the extent of the proposed parking areas and other hard surfacing within the proposed development would offer little relief from the large expanse of built form across the site and would worsen the overdeveloped character with a stark and unattractive frontage.

The proposal is contrary to Policies CS7, CS33, CS38 and DM18 and the Council's adopted Tree Strategy (2010) on this basis.

Neighbouring Amenity

The approved scheme 150325 has seven rear facing windows at first floor level, of which four are angled privacy 'Oriel' windows due to concerns that these would otherwise cause harmful overlooking to the rear gardens and windows of properties to the rear in Eastern Avenue. No rear facing windows are approved above first floor level under 150325. By comparison the current proposal includes thirteen rear facing windows at first and second floor levels. It is considered that the increase in windows combined with the increased scale of the building, the introduction of windows at second floor level, and the close proximity of these windows to the rear garden boundaries of numbers 1 and 3 Eastern Avenue would result in a strong perception of overlooking, harmful to the amenity of these neighbours. It is also considered probable that a number of the angled windows would still allow direct intervisibility between the new flats and neighbouring windows and/or gardens. The first floor window of bedroom 4B is of particular concern in this regard. It is considered that the proposals are contrary to Policy DM4 on this basis.

The proposals originally included a dormer window, facing the side window of the flat at 26A Wokingham Road. This has since been amended to a rooflight. It is considered that this would reduce overlooking to an acceptable degree, given the angles involved.

2 Hamilton Road has secondary side-facing windows facing the site. These are at 1st floor and would appear to retain reasonably daylighting. Outlook from this property would not be harmed to such an extent as to warrant refusal.

Amenity of Future Occupiers

The outdoor garden area measures approximately 114 square metres. The useable area would in reality be less than this once landscaping is included (for instance it is reasonable to expect some landscaped 'defensible space' or buffer to be provided outside bedrooms 1B, 2B, 2C, 3A and 3B to protect the amenity of future occupiers of these rooms). The irregular shape also reduces the usefulness of parts of the space. This relatively small amenity area is not considered sufficient to meet the needs of such a high intensity use. Based on the number of flats, Paragraph 5.6.10 of the Sites and Detailed Policies document suggests that 225sqm of useable space would be more appropriate. Policy DM10 lists a range of functions that the space would need to accommodate. The proposal does not appear to allow for these. Overall the lack of useful outdoor space is further indication of an overdevelopment of the plot and that a reduction in the scale and amount of development is required. For the avoidance of doubt, it is considered that the 'grasscrete' parking space should not be counted as outdoor amenity space.

The lack of space is repeated internally within the building. In themselves the bedrooms are an adequate size. The kitchen/dining space is also an adequate size. These might be acceptable if additional communal space were available to serve the high density occupancy. Paragraph 4.9 of the Council's adopted Residential Conversions SPD (2013) provides useful guidance (albeit this is a new-build proposal). *"If the bedrooms provided as part of the HMO are at the minimum size considered appropriate, then a standard of one communal room per four bedrooms as a guide would be sought. Each communal room must provide sufficient space for four occupants, given that bedrooms are likely to have little or no room for any living space. It is not sufficient to have one large room, as with a significant number of residents living together this is considered more likely to result in conflict between the users. It should be assumed that the provision of a communal room is in addition to the provision of a kitchen, particularly where the kitchen provides no seating area or space to relax and is purely a functional area."* In this instance it is considered that the kitchens are not sufficient to also serve as a sitting area and additional communal space would be required.

It is considered that the combination of the inadequate outdoor space, and the cramped internal accommodation would combine to offer an inadequate standard of amenity for future occupiers, contrary to Policies DM4 and DM10.

Transport

The detailed comments of the Highways Authority are set out in Section 4 above. It is considered, based on these, that the proposal would not be harmful in terms of highway safety. The concerns of local residents regarding the pressure on on-street parking are noted. Based on Highways comments it is considered that a Class C4 (HMO) use would not be harmful in terms of parking as the amount of off-street parking proposed meets the Revised Parking Standards and Design SPD requirements. However if approved, the proposal would need to be restricted to C4 use only because a Class C3 (dwellinghouse) use would require a greater amount of parking to comply with the Council's adopted standards.

HMO Use

The proposed development involves a new building containing flats each in use as a House in Multiple Occupation (HMO) falling within Use Class C4. The Council has adopted policies referring specifically to HMOs, namely CS18, DM8 and the Residential Conversions SPD. However the wording used in these policies relate to the conversion of existing buildings, rather than new-build. The guidance remains useful in determining appropriate accommodation standards (see above). However it is not considered appropriate to seek to use these policies to assess the suitability of the location for a new-build HMO development.

Affordable Housing

Under Policy DM6, the proposed 9 flats would be required to provide 20% Affordable Housing, on-site in the first instance.

The ministerial statement by Brandon Lewis MP dated 28 November 2014 and changes to national Planning Practice Guidance in respect of Affordable Housing policies relating to 10 dwellings or fewer were quashed by the High Court judgement *West Berkshire DC, Reading Borough Council v Secretary of State* (court reference CO/76/2015). The Court of Appeal subsequently reversed this decision but made it clear that in doing so it did not alter the lawfulness of Development Plan policies nor the need to make decisions in accordance with those policies unless other material considerations indicate otherwise (38(6) of the 2004 Act and section 70(2) of the 1990 Act).

In considering the weight to be given to Policy DM6, relative to any other material considerations, it is relevant that a significant need for Affordable Housing exists within the Borough, as demonstrated by the up-to-date assessment contained within the 'Berkshire (including South Bucks) Strategic Housing Market Assessment' (February 2016). Furthermore a significant proportion of housing is provided on smaller sites within Reading due to its largely previously developed, urban, nature. There is therefore a need for these smaller sites to deliver a proportion of Affordable Housing. For these reasons it is considered that Policy DM6 remains relevant to this application and is not outweighed by other material considerations, including the changes in national policy guidance.

The applicant has submitted a viability assessment suggesting that the specifics of the case mean that it would be financially unviable to provide any affordable housing in this instance. The Council's Valuer has not yet concluded the appraisal of the submitted viability assessment but officers note that the previous scheme 152026 did provide affordable housing and it is not yet clear why the current, larger proposal is now incapable of doing so. In the interests of avoiding undue delay and given the other major concerns with this proposal set out elsewhere in this report, it is considered appropriate to proceed to determine the application.

It is therefore considered that proposal fails to contribute adequately to the housing needs of Reading Borough and the need to provide sustainable and inclusive mixed and balanced communities. As such the proposal is contrary to Policy DM6 of the Sites and Detailed Policies Document 2012, Affordable Housing Supplementary Planning Document 2013, and Paragraph 50 of the NPPF. This opinion may be revised (at appeal or future pre-application or application stage for example) in the event that the Council's Valuer subsequently advises that it would be unviable for the scheme to provide any affordable housing.

7. CONCLUSION

The proposed development would result in an overdevelopment of the site, harmful to the character and appearance of the street and the setting of the South Park Conservation Area.

The proposal would result in harm to the amenity of neighbours due to perceived and actual overlooking.

The proposed accommodation and outdoor spaces would fail to provide a good standard of amenity for future occupiers.

The proposal fails to meet local housing need as a suitable amount of affordable housing has not been secured.

Equality Act

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 (including from consultation on the current applications) that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular planning application.

8. RECOMMENDATION

REFUSE Planning Permission, for the following reasons:

1. The proposal would result in a building of overly-dominant massing and built form with a cramped, overdeveloped, character in relation to the site and in relation to 2 Hamilton Road. This unsympathetic arrangement would be substantially worsened by the position of the proposed building well-forward of the neighbouring building at 2 Hamilton Road. The proposal would therefore represent an incongruous, jarring and obtrusive development that would be harmful to the character and appearance of the street scene and harmful to the setting of the adjacent South Park Conservation Area. The proposal is contrary to Policies CS7 and CS33 on this basis.
2. The lack of space for soft landscaping (including tree planting), and the extent of the proposed parking areas and other hard surfacing within the proposed development, in combination with the large expanse of building proposed, would result in stark and unattractive frontage, harmful to the street scene and harmful to the setting of the adjacent conservation area. The proposal is therefore contrary to Policies CS7, CS33, CS38 and DM18 and the Council's adopted Tree Strategy (2010).
3. The proposed building by reason of its scale and large number of windows arrayed in close proximity of the rear boundaries of the site would result in a strong perception of overlooking of neighbouring properties in Eastern Avenue, including their private garden areas, with consequent harm to the amenity of neighbouring occupiers. The proposal is therefore contrary to Policy DM4.
4. The proposal represents an overly intensive use of the site with insufficient indoor living space and outdoor amenity space to serve future occupiers. As such the proposal would offer an inadequate standard of amenity for future occupiers, contrary to Policies DM4 and DM10.
5. 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 and the objective of creating mixed and balanced communities and as such is contrary to Policy DM6, Affordable Housing Supplementary Planning Document (2013) and para. 50 of the NPPF.

INFORMATIVES

Refused drawings

1198-109 Rev.F Rear/South-West Elevation dated 22 September 2017

14198-110 Rev. E Side/S-E & S-W Elevations dated 22 September 2017

14198-113 Rev.E Proposed Site Layout dated 4 September 2017

14198-114 Rev.G Proposed Ground Floor Plan dated 12 September 2017

14198-115 Rev.D Proposed First Floor Plan dated 4 September 2017

14198-116 Rev.E Proposed Attic Floor Plan dated 4 September 2017

14198-117 Proposed Street Scenes & Section dated 4 September 2017

Positive and Proactive Statement

Affordable Housing