

## **DELEGATED PLANNING APPLICATION REPORT**

**Ward: Abbey**

**App Ref: 231139/FUL**

**Address: 185a Oxford Road, Reading, RG1 7UZ**

**Proposals: Change of use of First floor into 2 no. Studio flats**

**Case Officer: Mr Anthony Scholes**

**Date received (valid from): 18 August 2023**

**Target Decision date: 26 January 2024**

### **1. SITE DESCRIPTION**

**Site visit date: 26/10/2023**

**Site visit photos:**



**Figure 1 - Front of site from Oxford Road**



**Figure 2 - Rear of site from Prospect Mews**

The application site is a mid-terraced three storey property with a straight parapet. The site is located within the Castle Hill/Russell Street/Oxford Road conservation area as defined on the proposals maps. The ground floor was last in use as “Academy Insurance” being professionals services (Class E) though appears to be currently vacant. The first floor is currently vacant, with the last use as presented by the agent being offices associated with “Academy Insurance”.

## **2. PROPOSAL AND SUPPORTING INFORMATION**

The proposal is for a change of use of the first floor from a Professional Services use (Class E (c)(ii)) to two flats (2 x studio flats). The proposed development would also include minor works to install vents to the rear of the building, and vents associated with the cooking installations.

| Document | Title                           | Drawing Number | Date Received   |
|----------|---------------------------------|----------------|-----------------|
| Plans    | Proposed ground and first floor | PL/A635/03     | 11 October 2023 |
| Plans    | Proposed Elevations             | PL/A635/04     | 11 October 2023 |
| Document | Planning & Heritage Statement   | N/A            | 11 October 2023 |

|                |                                                                     |                            |                  |
|----------------|---------------------------------------------------------------------|----------------------------|------------------|
| Document       | Location Plan and Block Plan                                        | PL/A635/05                 | 11 October 2023  |
|                |                                                                     |                            |                  |
| Document       | Existing Elevation                                                  | PL/A635/02                 | 11 October 2023  |
|                |                                                                     |                            |                  |
| Document       | Existing Floor Plan                                                 | PL/A635/01                 | 11 October 2023  |
|                |                                                                     |                            |                  |
| Document       | Bin Store                                                           | NA                         | 11 October 2023  |
|                |                                                                     |                            |                  |
| Document       | Bike Store                                                          | NA                         | 11 October 2023  |
|                |                                                                     |                            |                  |
| Document       | Affordable Housing Statement                                        | NA                         | 18 August 2023   |
|                |                                                                     |                            |                  |
| Document Noise | Noise Assessment Report                                             | RPT.231011.0               | 11 October 2023  |
|                |                                                                     |                            |                  |
| Document Air   | Air Quality Assessment                                              | R6802-R1-V1                | 11 October 2023  |
|                |                                                                     |                            |                  |
| Document Air   | Building Acoustic Test Internal Sound Insulation Desktop Assessment | Report no. 10830102023-01, | 2 November 2023  |
|                |                                                                     |                            |                  |
| Plans          | Proposed Ground & First Floor Plan                                  | PL/A635/03 Rev A           | 7 November 2023  |
|                |                                                                     |                            |                  |
| Plans          | Proposed Elevations                                                 | PL/A635/04 Rev A           | 11 November 2023 |
|                |                                                                     |                            |                  |
| Plans          | Proposed Ground & First Floor Plan                                  | PL/A635/03 Rev B           | 13 November 2023 |
|                |                                                                     |                            |                  |
| Plans          | Proposed Elevations                                                 | PL/A635/04 Rev B           | 13 November 2023 |
|                |                                                                     |                            |                  |

### 3. RELEVANT PLANNING HISTORY

None applicable.

#### **4. CONSULTATIONS**

The following addresses were consulted by letter.

Unit 1, Prospect Mews, Reading, Berkshire, RG1 7YJ  
185 Oxford Road, Reading, Berkshire, RG1 7UZ  
Flat, 185 Oxford Road, Reading, RG1 7UZ  
Flat 1, 187 Oxford Road, Reading, RG1 7UZ  
Flat 2, 187 Oxford Road, Reading, RG1 7UZ  
Flat 3, 187 Oxford Road, Reading, RG1 7UZ  
Flat 4, 189 Oxford Road, Reading, RG1 7UZ  
21 Prospect Mews, Reading, RG1 7UJ  
Flat, 185 Oxford Road, Reading, RG1 7UZ  
Bennetts Ltd, 185 Oxford Road, Reading, RG1 7UZ

Letters of representation have been received as follows:

No letters from neighbours have been received at the time of writing this report.

##### RBC Transport

No objection subject to conditions.

##### RBC Environmental Health

No objection subject to conditions.

##### Conservation Area Advisory Committee (CAAC)

Response received 9 September 2023. Reading CAAC raised concern that the proposal does not actively enhance the conservation area, though acknowledged that the change of use includes only minor external changes. Therefore CAAC did not object to the proposal.

#### **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.

#### **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'. The following local and national planning policy and guidance is relevant to this application:

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

##### National Policy and Guidance

National Planning Policy Framework  
National Planning Practice Guidance

**Reading Borough Local Plan (2019)**

CC1: Presumption in favour of sustainable development  
CC2: Sustainable design and construction  
CC3: Adaption to climate change  
CC5: Waste minimisation and storage  
CC6: Accessibility and The Intensity of Development  
CC7: Design and The Public Realm  
CC8: Safeguarding Amenity  
EN10: Access to open space  
EN15: Air quality  
EN16: Pollution and water resources  
H1: Provision of Housing  
H2: Density and Mix  
H3: Affordable Housing  
H5: Standards for New Housing  
H8: Residential Conversions  
H10: Private And Communal Outdoor Space  
TR3: Access, Traffic And Highway-Related Matters  
TR5: Car And Cycle Parking And Electric Vehicle Charging

**SPG/SPD**

Affordable Housing (2021)  
Revised Parking Standards and Design (2011)  
Residential Conversions (2013)  
Planning Obligations Under S106 (2015)  
Sustainable Design and Construction (2019)

**Other Local Documents**

Castle Hill/Russell Street/Oxford Road conservation area appraisal (2020)

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**APPRAISAL**

The main issues raised by the application are:

1. Principle of development
2. Residential amenity
3. Transport matters
4. Affordable housing
5. Sustainability
6. Other matters

## **1. Principle of development**

### ***Loss of employment use***

The NPPF (Para. 61) states that “*the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies*”, it also encourage efficient use of land taking into account: identified need for housing, local market conditions, the availability and capacity of infrastructure, the desirability of maintaining the existing character of the area, and the importance of securing well-designed, attractive, and healthy places. The Local Plan supports the provision of additional dwelling units to meet the requirement for additional dwelling per annum.

Policy EM3 states that within all areas (other than centres) “*In other areas, the following matters will be considered when assessing proposals which would result in a loss of employment land: -*

- (i) Is access by a choice of means of transport, including access to the strategic road network, poor, and likely to remain poor?*
- (ii) Is the continued use of the site for employment, including the potential for redevelopment for employment uses, viable?*
- (iii) Is there a surplus of a similar size and type of accommodation in Reading?*
- (iv) Would continued employment use of the site detrimentally affect the amenity and character of a residential area?*
- (v) Is the need for alternative uses stronger than the need for the retention of employment land?*
- (vi) Would the proposal result in a piecemeal loss of employment land where there is potential for a more comprehensive scheme?”*

As per the latest annual monitoring report (2021-2022) Reading has continued to see growth in retail and commercial space, including significant growth in 2021-2022. There are also continued vacancy among commercial premises within Reading. As such, it is clear that there is a surplus of similar size and type of accommodation within Reading, including within centres. It is noted that the use is retained at ground floor.

## **2. Residential Amenity**

Notwithstanding section 1 above, the local plan includes a number of policies which seek to ensure that all new developments will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties.

Specifically, Policy CC8 states that new development should consider:

- Privacy and overlooking;
- Access to sunlight and daylight;
- Visual dominance and overbearing effects of a development;
- Harm to outlook;
- Noise and disturbance;
- Artificial lighting;
- Vibration;
- Dust and fumes;
- Smell;
- Crime and safety; or
- Wind, where the proposals involve new development of more than 8 storeys.

In addition, policy H5 states that:

*“New build housing should be built to the following standards, unless it can be clearly demonstrated that this would render a development unviable:*

*a. All new build housing outside the Central Area as defined on the Proposals Map will comply with the nationally-described space standard ...”*

In relation to the general amenity of the proposed studio apartments. Each flat will be above ground level, and have a generally suitable arrangement which will not cause undue overlooking into the proposed, or onto any existing dwellings. Each flat is serviced by a single aspect wall of windows. The flat on the southern side benefits from two windows which may up over 50% of the wall to the flat, given this is south facing, it will provide sufficient daylight and sunlight to the open plan dwelling. The north facing dwelling is provided with three windows, of even size across its frontage. Though this flat is not south facing, daylight and sunlight will be provided at ambient levels, and are also sufficient for an open plan flat in a high density location. Through provision of these windows, the open plan flats have suitable outlook undisturbed by other buildings, by virtue of its first floor location. As such, it is clear that all new dwellings should comply with the above mentioned standards/requirements.

#### **Floor space requirements**

Policy H5 requires all development to comply with internal space standards as outlined within the local plan. The two proposed flats provide sufficient floor space in line with policy H5 and are therefore acceptable.

#### **Amenity issues**

##### ***Noise and disturbance***

The dwellings are proposed above an E class use (vacant professional services) which would be subject to a degree of noise penetration between the uses. It would also be subject to traffic noise and pollution due to the location (along the busy Oxford Road). Policies EN15, EN16, and CC8 as above seek to protect residential uses from such pollution and disturbance.

The applicant has provided an acoustic assessment, and air quality assessment to support this application. These have been reviewed by the Council's Environmental Protection Team, and require conditions that seek detailed air quality, and noise mitigation methodology be submitted prior to commencement of development of the site.

In relation to daylight/sunlight, and outlook, the proposal includes open plan studio style apartments. Each flat would be provided with sufficient outlook and access to natural light.

With regard to privacy, the rear facing windows of the flat no. 2 be located some 31m from the rear windows of the closest dwelling along Prospect Mews. This exceeds the recommended back to back distance for dwellings and would not result in any significant harm to privacy of the existing or proposed dwelling.

As such, the proposal is considered to provide sufficiently sized flats which would benefit from a good level of amenity in accordance with policies CC8, EN15, and EN16.

#### **3. Transport matters**

The proposed development would be a car free development. In line with the Council's adopted parking SPD, the on-site provision of cycle parking is considered acceptable. Bin storage is to the front and access is given to both flats. Residents would be responsible for stationing the bins on the street for collection days. The proposal complies with policy CC5, TR3, and TR5.

#### **4. Affordable Housing**

In accordance with the Local plan policy H3, the development is required to contribute toward off-site affordable housing equivalent to 10% provision off site. A section 106 agreement will accompany any approval.

#### **5. Sustainability**

In accordance with policy CC2 the development will be required to meet a BREEAM 'Very Good' standard. The applicant has not submitted a pre-assessment indicator. A condition will be attached to ensure compliance with this aspect of the Local Plan (2019).

#### **6. Other matters**

##### ***External design***

No changes are proposed to the front façade, the changes to the rear of the building are minimal and as such the proposal is considered acceptable in terms of policy CC7.

##### ***CIL***

The proposed development would not be CIL liable. The current use of the building has been use for 6 months of the last three years.

##### ***S106***

The applicant has agreed the required financial contribution for affordable housing, which would be compliant with policy H3.

##### ***Equalities 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. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application. In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

#### **RECOMMENDATION**

Approve

Subject to the following conditions:

TL1 - Time limit

AP1 - Approved plans

M1 - Materials to match

C1 - Hours of construction

SU5 - BREEAM (Residential) - Pre-assessment report prior to commencement of development

SU6 - BREEAM (Residential) - Post construction certification required

C2 - Construction method statement to be provided

N10 - Noise mitigation (as proposed)

DC5 - Cycle parking (as proposed)

DC8 - Refuse and recycling as proposed

DE2 - Parking permits 1

DE3 - Parking permits 2