

DELEGATED APPLICATION REPORT

Ward: Katesgrove

App Ref: 221623/FUL

Address: 59 London Street, Reading, RG1 4PS

Proposals: Conversion of the first and second floors to provide 2 x one-bedroom flats (C3 Use Class) and erection of a roof terrace

Case Officer: Mr Anthony Scholes

Applicant: Ms Judy Norman

Date received (valid from): 31/10/2022

Valid from: 31/10/2022

Target Decision date: extension of time agreed on decision from 1 April 2025

1. INTRODUCTION

The proposal site consists of a three-storey middle terraced building on London Street. The surrounding area is considered predominantly commercial at ground floor level, with a mixture of office and residential uses above.

59 London Street is located within the Air Quality Management Area and within the Article 4 that restricts the conversion of Class E units to residential under permitted development. The proposal site is not listed but is within Market Place/London Street Conservation Area. Several Listed Buildings, the majority of which are Grade II, are located along London Street, close to the proposal site.



Fig 1. Front of 59 London Street.
Photo taken by case officer on
16/11/2022.



Fig 2. Rear of 59 London Street. Photo taken by case officer
on 16/11/2022.

An unaccompanied site visit was carried out on 16/11/2022.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposed development seeks the conversion of the first and second floors to 59 London Street to residential, consisting of two one-bedroom dwellings across the first and second floors. The development also proposes the conversion of the roof to a roof garden, serving the proposed second floor flat.

Plans considered:

- Planning Statement prepared by DLA Town Planning - 22/414
- Site Location / Block Plan As Existing - 13842-01 SLP_E Rev A
- Site Location / Block Plan As Proposed - 13842-01 SLP_P
- Ground, First & Second Floor Plans As Existing - 13842-01 Rev C
- Roof Plan & Elevations As Existing - 13842-02 Rev B
- Ground, First & Second Floor Plans As Proposed - 13842-03 Rev C
- Roof Plan & Elevations As Proposed - 13842-04 Rev C
- Typical Section As Existing & Proposed - 13842-05 Rev B

Received on 31/10/2022

3. RELEVANT PLANNING HISTORY

960356/ADV - One high level sign on east elevation of 59-65 London Street (facing South Street).
- Application Permitted on 07/01/1997

011466/FUL - Alterations to layout of ground floor of London House involving the formation of a new entrance from London Street - Application Permitted on 23/08/2001

061346/FUL - (amended description) Changes to front, side and rear elevations due to subdivision of existing into 3 B1 units - Application Permitted on 23/03/2006

060634/FUL - Construction of canopies above entrances - Application Permitted on 20/07/2006

070005/FUL - Change of use from B1 (offices) to A2 (financial and professional services) - Application Permitted on 12/09/2007

091650/FUL - Change of use from B1 offices to D1 educational. (Resubmission of 09/00576/FUL)
- Application Permitted on 16/09/2010

091651/ADV - Fascia sign to front elevation - Application Permitted on 27/11/2009

101741/APC - Discharge of conditions 2 and 3 of planning permission 09/01570/FUL - Split Decision on 04/03/2011

4. CONSULTATIONS

4.1 The following addresses were consulted by letter.

1, Chapel Court, South Street, Reading, RG1 4QP - No response received.
4, Chapel Court, South Street, Reading, RG1 4QP - No response received.
5, Chapel Court, South Street, Reading, RG1 4QP - No response received.
2, Chapel Court, South Street, Reading, RG1 4QP - No response received.
3, Chapel Court, South Street, Reading, RG1 4QP - No response received.
55 London Street, Reading, RG1 4PS - No response received.
61 London Street, Reading, RG1 4PS - No response received.
63 London Street, Reading, RG1 4PS - No response received.
Flat 1, 57 London Street, Reading, RG1 4PS - No response received.
Flat 1, 55 London Street, Reading, RG1 4PS - No response received.
Flat 2, 55 London Street, Reading, RG1 4PS - No response received.
Flat 3, 55 London Street, Reading, RG1 4PS - No response received.
Flat 4, 55 London Street, Reading, RG1 4PS - No response received.
Flat 5, 55 London Street, Reading, RG1 4PS - No response received.
Flat 2, 57 London Street, Reading, RG1 4PS - No response received.
Flat 3, 57 London Street, Reading, RG1 4PS - No response received.
Flat 4, 57 London Street, Reading, RG1 4PS - No response received.

A site notice was erected on 16/11/2022 for a period of 21 days, expiring on 07/12/2022. No responses were received to the public consultation.

4.2 Internal consultees

The following is a summary of response received from internal consultees.

Reading Borough Council, Environmental Protection - Response received on 21/11/2022

- Noise impact on development
- Noise transmission between dwellings
- Air Quality impact - increased exposure / new receptors
- Construction and Demolition phasing

Reading Borough Council, Transport Development Control - Response received on 22/11/2022

- The site fronts London Street which is a one-way single carriageway road southbound with a contraflow bus lane northbound. Pay and Display parking bays are provided along both sides of the carriageway with parking restricted to a maximum stay of 3 hours with no return within 2 hours between the hours of 8am and 8pm, Monday to Sunday.
- In accordance with the Councils current Parking Standards and Design SPD each 1 bedroom unit should be provided with 1 off street parking space. The submitted Design and Access Statement states that no parking is to be provided, the document also states that there are currently four car parking spaces allocated to the commercial unit in a shared parking court to the rear of the building accessed off South Street.
- The plan above illustrates that two of the parking bays will be lost to provide an area for cycle and refuse for the proposed units. The commercial unit measures 63sqm, therefore the remaining 2 spaces are adequate for the size of the unit.
- Paragraph 107 of the NPPF recognises that local parking standards for residential development should take into account the accessibility of the development and availability of and opportunities for public transport. Given the site is within walking distance to the Oracle shopping centre and multi-storey car parks with good transport links in to the town centre providing access to a range of shops and services, a car free development can be considered at this location.
- The Councils Residential Parking Permit Scheme operates in the area, there are also extensive parking restrictions in place preventing unauthorised parking. The applicant should be advised that future occupants of the units will not be entitled to apply for a resident or visitor parking permits for the surrounding residential streets where parking is under considerable pressure, 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
- The development is required to provide 0.5 cycle parking spaces per 1 and 2 bedroom unit within a lockable covered store. 1 Sheffield type stand in an enclosed unit is proposed, this exceeds the required number and is therefore deemed acceptable.
- It is not considered that the proposal would result in an unacceptable intensification of use of the site, therefore in principle there are no Transport objections to this application.
- A construction management statement will be required for this development.
- In the circumstances there are no transport objections to the proposal subject to the following conditions.

Reading Borough Council, Ecology - Response received on 16/12/2022

- No ecology objections to the proposed development.

Reading Borough Council, Conservation & Urban Design Officer - No response received.

Reading Conservation Area Advisory Committee - No response received.

5. 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.

6. 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 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.

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

National Policy

National Planning Policy Framework
National Planning Practice Guidance

Reading Borough Local Plan (Adopted November 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
EN1 Protection and Enhancement of the Historic Environment
EN2 Areas of Archaeological Significance
EN3 Enhancement of Conservation Areas
H3 Affordable Housing
H5 Standards for New Housing
H10 Private and Communal Outdoor Space
EN15 Air Quality
TR1 Achieving the Transport Strategy
TR3 Access, Traffic and Highway-Related Matters
TR5 Car and Cycle Parking and Electric Vehicle Charging
RL1 Network and Hierarchy of Centres
RL3 Vitality and Viability of Smaller Centres

SPG/SPD

Affordable Housing SPD (March 2021)
Revised Parking Standards and Design SPD (October 2011)
Planning Obligations under Section 106 SPD (April 2015)
Sustainable Design and Construction SPD (December 2019)
Market Place/London Street Conservation Area Appraisal (2007)

7. APPRAISAL

7.1 Land use principles

The existing building at 59 London Street consists of a centre use at ground floor level, with offices above. The existing building is not listed, but is located within the Market Place/Ondon Street Conservation Area. The proposal site is also located close to several Listed buildings along

London Street. The centre use to the ground floor fronting London Street is to be retained. As such, there is no in-principle objection to the proposed additional dwelling, subject to all other matters (as discussed below) being satisfactory.

There is also no in principle objection to the conversion of the first and second floors of 59 London Street to two one-bed self-contained flats, provided the development complies with the policies set out within the Reading Borough Local Plan, which will be discussed further within this report.

7.2 Design and Heritage

Policy CC7 of the Reading Borough Local Plan requires all development to be of high quality design and maintain and enhance the character and appearance of the surrounding area. In this specific case; this concerns the following components:

- Layout
- Landscape
- Scale: height and massing; and
- Architectural detail and materials

Policy EN3 of the Reading Borough Local Plan states that; “The special interest, character and architecture of Conservation Areas will be conserved and enhanced. Development proposals within Conservation Areas must make a positive contribution to local character and distinctiveness. Positive consideration will be given to proposals which take opportunities to enhance the character of conservation areas.”

The only external alterations proposed for this development consist of the adaption of the existing roof to a rooftop garden for the use of the occupants of the proposed second floor flat. The additions to the roof consist of a glazed balustrade and staircase housing. These additional features to the roof would not be visible from ground level along London Street and would not be readily apparent when viewed from the rear of the building along South Street. This is due to the location and scale of the proposed alterations. These alterations are therefore considered to have a neutral impact upon the character and appearance of the Conservation Area.

In terms of appearance the development would preserve the character and appearance of the surrounding area. The development is therefore considered in accordance with Policies CC7, EN1 and EN3 of the Reading Borough Local Plan.

7.3 Standards for New Housing and Residential Conversions

As this application seeks two new dwellings through a residential conversion, Policies H5 and H8 of the Reading Borough Local Plan are applicable.

Policy CC3 (Adaptation to Climate Change) requires that development proposal incorporate sustainable design practices to take account of climate change. Policy H5 (Standards for New Housing) requires that all new housing is be built to the higher level of water efficiency standards under Building Regulations and achieves at a minimum a 19% improvement in the dwelling emission rates above the Building Regulations standards and details of this in the form of design and construction stage SAP reviews can be secured by way of conditions.

The proposed flats exceed the minimum gross internal floor areas and storage requirements as set out in policy H5 of the Reading Borough Local Plan. The gross internal floor space of flat 1, which is located on the first floor is 53m². The gross internal floor space of flat 2, which is located on the second floor is 83m². Both flats as proposed are therefore above the minimum space requirement of 50m² for a one bed, two-person, one storey dwelling. Therefore, the proposed development is considered in accordance with policy H5 of the Reading Borough Local Plan.

The proposal is acceptable in scale and appearance and respects the character of the Conservation Area. The proposed development does not result in a loss of family housing. The

development would not harm the living conditions of neighbouring residents (as will be discussed in the next section of this report). The proposed stacking is acceptable, along with the provision for bin and cycle storage. The proposed development is therefore considered in accordance with Policy H8 of the Reading Borough Local Plan.

7.4 Safeguarding Amenity

This proposal has also been assessed against Reading Borough Local Plan policy CC8: Safeguarding Amenity, which states that proposals are acceptable where they will not cause a detrimental impact on the living environment of existing residential properties with regard to:

- *Privacy and overlooking*
- *Access to sunlight and daylight*
- *Visual dominance and overbearing effects of a development*
- *Harm to outlook*

The proposed dwelling is located along a busy highway, close to Reading town centre. Residential units above commercial units along a district centre are considered typical, with the development proposed under this application considered unlikely to harm the living conditions of neighbouring residents or harm the day to day running of local businesses. The living conditions of future occupants of the proposed flat will be safeguarded from noise and disturbance from the commercial units through sound proofing, the details of which are to be secured via condition.

Overall, the proposed dwelling is not considered to harm the living conditions to neighbouring properties or the surrounding area. Therefore, the proposed development is considered in accordance with policies CC7 and CC8 of the Reading Borough Local Plan. It is considered necessary however to condition the approval of this application to ensure that details of noise mitigation from the commercial use to the ground floor of 59 London Street is provided. This is to preserve the living conditions of future occupants to the proposed dwelling at 59 London Street.

The proposal site is located within the Air Quality Management Area along a busy highway. The Council's Environmental Protection Team have raised concerns that this residential development may not be appropriate in this area due to the poor air quality - impacting upon the living conditions of future occupants. A condition will be attached to any approval of this application for an air quality assessment to be carried out with proposed mitigation. Subject to this condition, the development is therefore considered in accordance with Policy EN15 of the Reading Borough Local Plan.

7.5 Private and Communal Outdoor Space

This proposal has also been assessed against Reading Borough Local Plan policy H10: Private and Communal Outdoor Space, which states that:

- *Usable outdoor space for houses should be no less than the gross floor area of the dwelling. To which it relates.*

It is acknowledged that the development would not provide a private outdoor amenity space to both of the proposed flats. Nevertheless, the proposal site is located within 500m of Forbury Gardens to the north of the proposal site. The development has also secured suitable provision for bike storage and bin storage. The location of the proposed flat also benefits from being close to local amenities and conveniences. Therefore, on balance, the lack of private amenity space to the proposed first floor flat is not considered harmful enough to warrant a recommendation of refusal for this application on this basis.

7.6 Transport

The proposed development is considered to satisfy the on-site parking requirements as outlined within the Revised Parking Standards and Design SPD (2011). Three off road vehicle parking spaces are provided for the proposed development. The location of the proposed dwelling also benefits from strong sustainable transport links to buses and cycle routes. The proposed non-provision of vehicle parking is therefore considered acceptable.

Conditions have been recommended to ensure that the proposed bin and cycle storage is carried out in accordance with the approved details. This is to ensure that an appropriate level of cycle parking is secured within this development in accordance with CC8 and TR3 of the Reading Borough Local Plan. A Construction Method Statement is also to be secured via condition to any approval of this application, this is to ensure that the development being carried out would not harm the living conditions of neighbouring residents, or highway safety.

7.7 Affordable Housing

In accordance with Policy H3 of the Reading Borough Local Plan; *“Residential development will make appropriate contribution towards affordable housing to meet the needs of Reading:*

- (...) on sites of 1 - 4 dwellings, a financial contribution will be made that will enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the Borough.”*

The applicant has agreed to enter into a legal agreement to secure a financial contribution if planning were to be granted.

A Section 106 Legal Agreement has been drawn up, which secures a financial contribution of £23,250 for the purposes of providing affordable housing elsewhere within the Borough. The figure has been calculated based on the valuations of the existing dwelling and the proposed additional dwelling from two Estate Agents. As per Policy H3 of the Reading Borough Local Plan and the Affordable Housing SPD (2021); for sites of 1-4 dwellings, where the contribution required by policy H3 is 10%, this will equate to 5% of GDV of the development.

This is considered acceptable and complies with Policy H3 of the Reading Borough Local Plan and the Affordable Housing SPD (2021).

7.8 CIL

The proposal includes the addition of more than 100sqm of new floor space and so would be CIL liable.

	Existing Residential (m ²)	Proposed Residential (m ²)	Difference (m ²)
Conversion from Office to Residential			
First Floor	0	53	+53
Second Floor	0	83	+83
Total	0	136	+136

The submitted CIL form states that the existing building was still in use as an office at the time of this application. Accordingly, on the basis of the 136sqm proposed floorspace the liability (based on a 2022 CIL rate of £156.24 per sqm) would total £21,248.64.

The standard informative is recommended to be included on the decision notice to advise the applicant of this separate process and requirement.

8. CONCLUSION

The proposed development has been assessed and the proposed works are considered to be in accordance with the above relevant policies and planning permission can be granted.

9. RECOMMENDATION

GRANT

10. CONDITIONS

TL1: Time Limit (Standard)

The development hereby permitted shall begin no later than three years from the date of this planning permission.

REASON: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

AP1: Approved Plans

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

Plans considered:

- Planning Statement prepared by DLA Town Planning - 22/414
- Site Location / Block Plan As Proposed - 13842-01 SLP_P
- Ground, First & Second Floor Plans As Proposed - 13842-03 Rev C
- Roof Plan & Elevations As Proposed - 13842-04 Rev C
- Typical Section As Existing & Proposed - 13842-05 Rev B

Received on 31/10/2022

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

Materials (As Specified)

Noise Assessment & Mitigation (To Be Submitted)

Air Quality Assessment & Mitigation (To Be Submitted)

Construction Method Statement (To Be Submitted)

SAP Assessment (Minor) - Design Stage (To Be Submitted)

SAP Assessment (Minor) - As Built (To Be Submitted)

Vehicle Parking (As Specified)

Cycle Parking (As Specified)

Refuse and Recycling (As Specified)

Parking Permits 1

Parking Permits 2

11. INFORMATIVES

Standard Informatives

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.

IF4: S106

A section 106 Agreement has been completed for this development. A copy of the S106 Legal Agreement is available on the Council's Public Register of Planning

I11: Community Infrastructure Levy (CIL)

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 floorspace 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 floorspace. For this approved development the CIL status is chargeable. If chargeable 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